

JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
ORGANIZATIONAL
SESSION OF 1983

HELD IN THE CITY OF MONTGOMERY, ALABAMA
COMMENCING TUESDAY, JANUARY 11, 1983



Vol. 1

WITH AN INDEX PREPARED BY THE
SECRETARY OF THE SENATE

CONTENT

To facilitate research in the Senate Journal, the following information is included at the end for your convenience:

1. Legislative roster, listing names and addresses of all members of the current Legislature by district;
2. A listing of legislative days, with calendar dates and pages on which each day begins;
3. A topic index of resolutions;
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FIRST DAY
TUESDAY, JANUARY 11, 1983

This being the second Tuesday in January, A.D., 1983, and the day fixed by law and the Constitution of the State of Alabama for the Organizational Session of the Legislature of Alabama:

The Senate of Alabama assembled in the Senate Chamber in the City of Montgomery, at the Capitol, at 12 o'clock Noon, and was called to order by Lieutenant Governor McMillan. McDowell Lee, Secretary, was present and acted as such according to law.

PRAYER

The Session was opened with prayer by Mr. Joe Black, Minister, Cahaba Valley Church of Christ, Birmingham, Alabama.

CERTIFICATE OF ELECTION

At the direction of the President and Presiding Officer of the Senate, the Secretary read the following Certificate of Election from the Secretary of State, to-wit:

STATE OF ALABAMA

I, Don Siegelman, Secretary of State of the State of Alabama, do hereby certify that it appears from the returns of the election held on November 2, 1982, received in this office in accordance with law, that the following named persons were elected to the State Senate for a term of four years, from the Thirty-Five Districts as follows:

District Number 1, Bobby E. Denton; District Number 2, Roger Hugh Bedford, Jr.; District Number 3, Gary Aldridge; District Number 4, Steve Cooley; District Number 5, Charles Bishop; District Number 6, Jim Smith; District Number 7, Bill G. Smith; District Number 8, Lowell R. Barron; District Number 9, Hinton Mitchem; District Number 10, Larry H. Keener; District Number 11, William J. Cabaniss, Jr.; District Number 12, John E. Amari; District Number 13, J. Richmond Pearson; District Number 14, Mac Parsons; District Number 15, Earl F. Hilliard; District Number 16, Ryan deGraffenried, Jr.; District Number 17, Spencer Bachus; District Number 18, Lister Hill Proctor; District Number 19, John A. Teague; District Number 20, Donald G. Holmes; District Number 21, T. D. (Ted) Little; District Number 22, Danny Corbett; District Number 23, Foy Covington, Jr.; District Number 24, Chip Bailey; District Number 25, E. Crum Foshee; District Number 26, Don Harrison; District Number 27, Larry D. Dixon;

District Number 28, Wendell Mitchell; District Number 29, Earl Goodwin; District Number 30, Edward D. Robertson; District Number 31, Reo Kirkland, Jr.; District Number 32, James Jerry Boyington; District Number 33, Michael A. Figures; District Number 34, Ann Bedsole; District Number 35, Bill Menton.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Alabama, at the Capitol, City of Montgomery, this the 17th day of November, One Thousand Nine Hundred and Eighty-Two.

DON SIEGELMAN
Secretary of State

STATEMENT BY PRESIDING OFFICER

The President and Presiding Officer of the Senate made the following statement relative to the Oath of Office, to-wit:

"The oath of office prescribed by the Constitution of the State of Alabama has previously been administered to the following members of the Senate certified elected by the Secretary of State on November 2, 1982, their credentials having been presented, and oath of office subscribed to by each Senator, to-wit:

"Chip Bailey, Lowell Barron, Roger Bedford, Jr., Ann Bedsole, Charles D. Bishop, James J. Boyington, William J. Cabaniss, Jr., Danny Corbett, Jessie Foy Covington, Jr., Ryan deGraffenried, Jr., Bobby E. Denton, Larry D. Dixon, Michael A. Figures, E. C. Foshee, Earl Goodwin, Don Harrison, Earl F. Hilliard, Donald Holmes, Reo Kirkland, Jr., T. D. Little, Wendell Mitchell, Hinton Mitchem, Lister Hill Proctor, Edward D. Robertson, Bill Smith, Jim Smith."

OATH OF OFFICE

Upon the request of the President and Presiding Officer of the Senate, Honorable George McMillan, the following Senators-elect came forward presented their credentials, and the Honorable George McMillan administered to them the oath of office prescribed by the Constitution of the State, and each Senator-elect came forward and subscribed his name to the oath of office as follows:

"I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama so long as I continue a citizen thereof and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter to the best of my ability. So help me God.

"Gary L. Aldridge, John E. Amari, Spencer Bachus, Steve Cooley, Larry H. Keener, Bill Menton, Mac Parsons, J. Richmond Pearson, John A. Teague."

ROLL CALL

Whereupon, on a call of the roll, the following Senators answered to their names, a quorum of the Senate:

Senators:	Bailey	Bishop	Corbett
Aldridge	Barron	Boyington	Covington
Amari	Bedford	Cabaniss	deGraffenried
Bachus	Bedsole	Cooley	Denton

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Dixon	Hilliard	Menton	Proctor	—35
Figures	Holmes	Mitchell	Robertson	
Foshee	Keener	Mitchem	Smith (B)	
Goodwin	Kirkland	Parsons	Smith (J)	
Harrison	Little	Pearson	Teague	

ELECTION OF OFFICERS

The President and Presiding Officer of the Senate announced that the next order of business was the election of officers as follows: President Pro Tempore and Assistant Secretary.

ELECTION OF PRESIDENT PRO TEMPORE

Senator Mitchell placed in nomination for President Pro Tempore of the Senate the name of the Honorable John Teague, which nomination was seconded by Senators Denton, Proctor, Holmes, and Goodwin.

Those who voted for Senator Teague are:

Yeas 34; Nays 0.

Abstaining 1

Yeas:

Senators:	Boyington	Foshee	Mitchell	—34
Aldridge	Cabaniss	Goodwin	Mitchem	
Amari	Cooley	Harrison	Parsons	
Bachus	Corbett	Hilliard	Pearson	
Bailey	Covington	Holmes	Proctor	
Barron	deGraffenried	Keener	Robertson	
Bedford	Denton	Kirkland	Smith (B)	
Bedsale	Dixon	Little	Smith (J)	
Bishop	Figures	Menton		

Nays: —0

Abstaining:

Senator Teague —1

Senator Teague, having received a unanimous vote of the Senate, was declared duly and constitutionally elected President Pro Tempore of the Senate for the term prescribed by law.

OATH OF OFFICE

The oath of office prescribed by the Constitution of Alabama was then administered by the Honorable George McMillan to the Honorable John Teague, President Pro Tempore.

Whereupon, the Honorable John Teague was escorted to the chair, and assumed the duties of Presiding Officer.

ELECTION OF ASSISTANT SECRETARY

Senator Keener placed in nomination for Assistant Secretary of the Senate the name of John D. Crawford, seconded by Senators Goodwin and Proctor.

Those who voted for Mr. Crawford are:

Yeas 35; Nays 0.

Yeas:

Senators:	Boyington	Foshee	Mitchell
Aldridge	Cabaniss	Goodwin	Mitchem
Amari	Cooley	Harrison	Parsons
Bachus	Corbett	Hilliard	Pearson
Bailey	Covington	Holmes	Proctor
Barron	deGraffenried	Keener	Robertson
Bedford	Denton	Kirkland	Smith (B)
Bedsole	Dixon	Little	Smith (J)
Bishop	Figures	Menton	Teague

—35

Nays:

—0

Mr. Crawford, having received a unanimous vote of the Senate, was declared duly and constitutionally elected Assistant Secretary of the Senate, for the term prescribed by law.

OATH OF OFFICE

The oath of office prescribed by the Constitution of Alabama was then administered by the President Pro Tempore of the Senate to the Honorable John D. Crawford, Assistant Secretary of the Senate.

RESOLUTIONS

Senator Foshee offered the following Senate Resolution, to-wit:

S. R. 1. ADOPTION OF SENATE RULES.

RESOLVED BY THE SENATE OF ALABAMA That the following be adopted as the Rules of the Senate for the quadrennium 1983-1986, to-wit:

GENERAL RULES OF ORDER AND PROCEDURE

RULE 1. The President shall take his chair precisely at the hour to which the Senate has been previously adjourned. He shall call the Senate to order and cause the role to be called. If there is a quorum present, the Senate shall proceed with the transaction of its business, if there be no quorum present, a lesser number may adjourn from day to day and compel the attendance of absent members, as provided in Rule 38.

RULE 2. Unless it is otherwise specially provided for by resolution or motion, the Senate shall meet at ten o'clock a. m., except on Mondays, when the Senate shall convene at twelve o'clock noon; however, the Senate shall meet at twelve o'clock noon on the first day of any organizational, special, or regular session.

RULE 3. No person shall be admitted to the floor of the Senate's chamber while the Senate is in session except members and former members of the Legislature (provided, however, that when former members are on the floor, they shall not be engaged in any lobbying activity), officers and employees of the two houses, the employees of the presiding officer, the Governor and his Executive Secretary, representatives of the press, who shall be placed by the Secretary of the Senate, the directors and employees of the Department of Archives and History, the Chief Examiner and employees of the Department of Examiners of Public Accounts, and the Director and employees of the Legislative Reference Service and the Legislative Fiscal Officer and the employees of the Legislative Fiscal Office in aid of the Senate in its work; provided, however, that on the first legislative day of any

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regular, special, or organizational session the families of the members of the Senate shall have the privileges of the floor, but only for that specific legislative day. This rule shall be enforced by the Secretary of the Senate without such enforcement being suggested or requested by a member of the Senate.

RULE 4. Only the presiding officer of the Senate shall introduce visitors in the Senate gallery. Such introductions shall be made at the request of any Senator, but only at such times as will not interrupt or disturb the orderly transaction of the business of the Senate.

RULE 5. No person shall be allowed to lobby in the Senate's chamber while the Senate is in session.

RULE 6. No motion shall be deemed in order to admit any person whomsoever within the doors of the Senate's chamber to present any petition, memorial, or address, or to have any such petition, memorial, or address read.

RULE 7. After reading the journal, the regular order of transacting business for the Senate shall be:

- 1st, Signing of bills;
- 2nd, Call of districts;
- 3rd, House messages;
- 4th, Reports from standing committees;
- 5th, Reports from select committees;
- 6th, Motions and resolutions;
- 7th, Uncontested local bills;
- 8th, Consent Calendar;
- 9th, Bills on third reading;
- 10th, Special orders of the day at twelve o'clock noon;
- 11th, Other business.

RULE 8. The regular order of business shall not be set aside except by a majority vote of the Senate, upon a resolution previously considered and reported by the Committee on Rules. The reading of the journal, however, may be dispensed with on motion, which motion shall be decided without debate.

RULE 9. Under call of the districts, only bills, petitions, memorials, or resolutions which are to be referred to committees shall be introduced.

RULE 10. No bills other than local bills, advertised or otherwise, shall be introduced in the Senate during a regular session after the Senate adjourns on the 24th legislative day.

RULE 11. The unfinished business in which the Senate was engaged at the last preceding adjournment shall have preference in the special orders of the day. This rule shall not apply to the eighth order of business (Rule 7), the Consent Calendar, except as provided in subparagraph 7 of Rule 14.

RULE 12. Special orders shall not be called on any legislative day before twelve o'clock noon, unless specially set for some other hour by mo-

tion or resolution.

RULE 13. Each motion or resolution for a bill to be placed on the Consent Calendar or for a special order shall be first referred to and reported from the Committee on Rules.

RULE 14. After a bill appears on the regular calendar, the sponsor of a Senate bill may, during the period for considering motions and resolutions, request that the bill be referred to the Committee on Rules for placement on the Consent Calendar. Any member of the Senate may, during the call for motions and resolutions, upon motion, request that a House bill be referred to the Committee on Rules for inclusion in the Consent Calendar. The referral to the Committee on Rules shall be limited to considering the bill for placement on the Consent Calendar, except as provided in subparagraphs (4) and (7) of this rule. Such request shall be deemed a privilege and shall be subject to the following procedures:

(1) During each session each Senator is limited to three requests for Senate bills and three requests for House bills to be referred to the Committee on Rules for placement on the Consent Calendar, whether such bills are placed on said calendar or not; provided, however, upon suspension of the rules a Senator may be entitled to exceed the number of requests stipulated herein;

(2) Unless the Clerk of the Committee on Rules receives written objections from five or more Senators, this bill will be automatically placed on the Consent Calendar; any objection must be received by the Clerk prior to the end of the second legislative day after the motion for placement on the Consent Calendar is made;

(3) If five or more written objections are received by the Clerk of the Committee on Rules, the request for placing the bill on the Consent Calendar shall fail automatically and the bill shall revert to the Regular Order Calendar when the Rules Committee next reports, under the fourth order of business (Rule 7); the Secretary shall place such bill at the end of the Regular Order Calendar;

(4) Bills on the Consent Calendar shall not be amended or substituted in any manner, nor subject to any motion except a motion to correct typographical, grammatical or technical errors, or a motion to suspend the rules, unless such motion shall be ruled by the chair as dilatory; provided, however, if a House bill, appearing on the Regular Senate Calendar, is identical in every respect and form to the Senate version, such bill may be offered as a substitute;

(5) The total time for debate on each bill shall not exceed thirty minutes, at which time a vote thereon shall be taken;

(6) The total time for consideration of the Consent Calendar shall not exceed two hours. If the two-hour period expires before the end of the time allotted in (5) above, the bill under debate shall be the first order of business on the Consent Calendar for the next day and prior time used for debate shall be deducted from the total allowed each bill; and each bill shall retain its position on said calendar until acted on by the Senate;

(7) After the 24th legislative day of a regular session or after the 10th legislative day of a special session, the Senate may, upon adoption of a resolution from the Rules Committee, establish a Special Order Consent Calendar from bills appearing on the Consent Calendar;

(8) Resolutions and local legislation shall not be eligible for placement

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on the Consent Calendar;

(9) After the 24th legislative day of a regular session or after the 7th legislative day of a special session, no motions for placing bills on the Consent Calendar shall be in order.

RULE 15. Bills on third reading postponed to a day certain shall take precedence of other bills on third reading on such day, and from day to day thereafter until disposed of. Priority of postponed bills shall be in the order of their postponement.

RULE 16. When reports of standing committee are in order, the committee last occupying the floor shall be entitled to the floor.

RULE 17. Every motion shall be reduced to writing upon request of the presiding officer or of any Senator. Written motions shall be delivered to the Secretary at the desk and read before the same shall be debated.

RULE 18. Before any memorial or petition addressed to the Senate shall be received and read at the desk, a brief statement of its contents shall be made by the introducer.

RULE 19. When a question is under debate, no motion shall be received but: (1) to adjourn, (2) to adjourn to a day certain, (3) to lay on the table, (4) to postpone indefinitely, (5) to postpone to a day certain, (6) to commit, or (7) to amend, which several motions shall have precedence in the order they stand arranged. The motions to adjourn, to adjourn to a day certain, and to lay on the table shall always be in order and shall be decided without debate.

RULE 20. The motion to lay on the table an amendment or substitute shall not carry with it the original bill, resolution, or proposition.

RULE 21. The Committee on Rules may at any time report a special rule that debate on a pending measure shall cease at a certain hour and a vote be taken on the measure. In addition thereto a petition signed by eighteen or more senators to the effect that debate on a pending measure shall cease at a certain hour and a vote be taken on the measure filed with the Secretary while the Senate is in session, shall have the same effect as a report of the Committee on Rules regarding debate. The consideration of such special rule shall not exceed thirty minutes, when a vote shall be taken thereon; and if three-fifths of the members elected shall vote to limit debate, then said rule shall have been adopted by the Senate.

RULE 22. Messages may be introduced at any stage of business, except while a question is being put, while the yeas and nays are being called, or while the ballots are being counted.

RULE 23. No discussion or debate shall be allowed while a vote is being taken.

RULE 24. Every bill on first reading shall be referred to a standing committee, and shall be read a second time when returned from the committee on any subsequent day.

RULE 25. When the reading of any paper is called for and the reading of same is objected to by a member, the question shall be determined by a vote of the Senate without debate.

RULE 26. If the question in debate contains several points, any member may call for a division. It shall not be in order, however, to move for a division of the question on a motion to strike out and insert.

RULE 27. The rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition; nor shall a subsequent motion simply to strike out prevent a subsequent motion to strike out and insert.

RULE 28. In filling blanks, the largest sum and longest time shall be put first.

RULE 29. When a vote has been taken on any question, other than a motion to adjourn, adjourn to a day certain, or to lay on the table, it shall be in order for any Senator of the majority to move for the reconsideration thereof. But no motion for the reconsideration of any vote shall be in order after the bill, resolution, message, report, amendment, or motion upon which the vote was taken shall have gone out of the possession of the Senate. Nor shall any motion for a reconsideration be in order unless it is made on the same day on which the vote was taken, or by twelve o'clock noon the next day, or one hour after the Senate convenes, if after twelve o'clock.

RULE 30. When any question may have been decided by the Senate in which more than a majority of the members present are necessary to carry the affirmative, any Senator who voted on the side that prevailed in the question may move for a reconsideration, and such motion shall be decided by a majority vote.

RULE 31. Resolutions proposing amendments to the Constitution or requiring the approbation or signature of the President or granting money out of funds appropriated for the Legislature shall be treated in all respects in the introduction and form of proceedings thereon as bills.

RULE 32. All motions to go into executive session shall be decided without debate.

RULE 33. Executive messages shall be considered with open doors unless it is otherwise requested in the message or otherwise ordered by a vote of the Senate.

RULE 34. All nominations and appointments shall be referred to, and be reported from the Committee on Rules before consideration by the entire Senate. A rejection by the Rules Committee of any nomination or appointment shall be considered a rejection by the entire Senate. If the Rules Committee rejects a nomination or appointment, it will either forward its rejection to the Secretary of the Senate who shall forward the rejection to the appointing authority and request a new nominee be submitted, or, in the event that the pertinent statute exists, may select a substitute nomination and submit that name to the full Senate for confirmation or rejection. In the event the full Senate rejects the nominee of the Rules Committee then the Rules Committee shall submit another nominee to the full Senate.

RULE 35. The final question upon every bill or resolution requiring three readings prior to passage shall be put in this form: "Shall the bill (or resolution) be read a third time?" No amendment shall be received for discussion after the third reading of any bill, resolution, amendment or motion, except by unanimous consent of all members present; but it shall at all times be in order, before the final passage of any such bill, resolution, constitutional amendment, or motion, to move its recommitment, and if such recommitment takes place and an amendment is reported by the committee, the said bill, resolution, constitutional amendment, or motion shall be again read a second time, and then the aforesaid question shall be put.

RULE 36. During a regular session, no bill that has originated in the

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Senate shall be sent to the House of Representatives for its first reading in the House after the Senate adjourns on the 26th legislative day.

RULE 37. No motion to alter, modify, or amend any rule or any part thereof shall be in order except on one day's notice in writing, which notice shall specify precisely the rule or part thereof proposed to be suspended, modified, or amended. Before any vote shall be taken on such motion, it shall be first referred to the Committee on Rules, and said committee must report thereon. Any rule may be suspended by the consent of the Senate unless one or more Senators object thereto. Any Senators objecting to a suspension of the rules will be identified by name and upon request of any other Senator, the name of any objecting Senator shall be entered into the record. Any change or alteration of the rules shall be decided by a majority vote after proper consideration by the Committee on Rules.

RULE 38. During the period between the end of the regular session and the convening of the next regular session, members may deliver bills to the Secretary of the Senate, which shall be known as "pre-filing". Such bills shall be numbered by the Secretary in the order of receipt and otherwise processed for introduction when the regular session has been convened. Pre-filed bills shall be assigned by the presiding officer to a standing committee for study and shall be formally referred to the same committee upon commencement of the regular session; provided, however, that no bill shall be pre-filed under this Rule after the commencement of the last regular session of the Legislature in any quadrennium and before the organizational session following general election.

RULES RELATING TO SENATORS

RULE 39. No Senator shall absent himself or herself from the service of the Senate for as long as one day, without leave of the Senate first obtained. In case a lesser number than a quorum of the Senate shall convene, they are hereby authorized to send the Doorkeeper or some other person for any or all absent Senators, as the majority of the Senators present shall agree. The expense of sending for an absent Senator shall be paid by the absentee, unless an excuse for non-attendance shall be made, as a quorum of the Senate shall judge sufficient. In which event, the expense of securing the attendance of such absent Senator shall be paid out of funds appropriated for the Legislature.

RULE 40. When the yeas and nays shall be called for by one-tenth of the Senators present, each Senator called upon shall, unless for special reasons be excused by the Senate, declare openly and without debate, his or her assent or dissent to the question. No members shall be permitted to vote after the decision is announced from the chair. In taking the yeas and nays, and upon the call of the Senate, the names of the Senators shall be called alphabetically.

RULE 41. No member shall speak more than twice on any question under debate and none shall, without leave of the Senate, speak for more than one hour at each time. The originator of the pending question, or the chairperson of the committee reporting the measure, shall have the right to conclude the debate, which right cannot be cut off by motion to table. The originator of the pending question shall have precedence.

RULE 42. When a Senator shall be called to order by the President, or a Senator, he or she shall immediately sit down.

RULE 43. The Secretary shall cause to be printed for the use of each Senator, and each Senator shall promptly execute, a form on which there

shall appear a place for the signature of such Senator and above it a statement of the names and addresses of each public utility, public service, or quasi-public corporation, and any other person, firm or corporation engaged in any business or industry subject to regulation by the Alabama Public Service Commission with which the Senator may, at that time or at any time within one year prior to the convening of the Senate in regular session, have been connected, as agent, employee, officer, director or attorney, or from which he or she receives, or has during such time received, compensation, direct or indirect, or has received a pass or rate concession or reduction of any nature whatsoever. If no such connection exists, a statement to that effect shall be made. Executed forms, and an unfilled form bearing the name of each Senator who fails to execute a form, shall be bound in alphabetical order, in a permanent volume, on or before the fifth legislative day of the regular session, which volume shall be kept open to public inspection in the office of the Secretary while the Senate is in session and shall be thereafter deposited with the permanent records of the Legislature.

RULES RELATING TO PRESIDING OFFICER

RULE 44. In the absence of the President when the Senate convenes, the President Pro Tempore shall preside; however, the President shall have the right to name a member to perform temporarily the duties of the Chair.

RULE 45. All questions shall be put by the Chair, and members shall signify assent or dissent by answering yea or nay. If those who vote are sufficient in number to show that a majority constituting a quorum so acted, those who thus voted only shall be counted as constituting the house for the purpose of that vote; but when any question is put and a quorum is not recorded as voting, the Chair shall, before announcing the vote, on his or her own motion or on suggestion of any Senator, instruct the Secretary to record as present a sufficient number of those Senators physically present to constitute a quorum, though all present are not participating in the vote.

RULE 46. Every question of order shall be decided by the Chair without debate, subject to an appeal to the Senate. The Chair may call for the sense of the Senate on any question of order or on any other matter properly before the Senate.

RULE 47. When two or more Senators rise at the same time, the Chair shall name the Senator who is to speak first.

RULE 48. The Chair shall give notice at each reading of a bill whether it be the first, second, or third.

RULE 49. The President shall control such parts of the Capitol and other facilities occupied by the Senate and its passages as are set apart for the use of the Senate and its officers, and may, in his or her discretion, permit the proceedings of the Senate to be photographed, televised, or broadcast.

RULE 50. All committees of the Senate and the chairperson, deputy chairperson, and vice chairperson thereof shall be named by the President elected to serve for the quadrennium concurring with the term of the Senators adopting these rules. In the event the President Pro Tempore assumes the presidency, he or she shall have the same authority. The President Pro Tempore shall be an ex officio voting member of each standing committee.

RULES RELATING TO COMMITTEES

RULE 51. There shall be twenty (20) standing committees on the fol-

lowing subjects:

(1) Finance and Taxation, to which committee shall be referred all bills and other matters concerning the revenues, appropriations (except a bill or resolution carrying an appropriation which may be first referred to another committee as authorized by Rule 55 and 78 (2)), expenditures, and public debts of the State, and the administration of the State's taxation and revenue law, including measures that would require new expenditures or increases in appropriations of state funds or that would affect any reduction in state revenue. In addition, the Committee on Finance and Taxation shall consider and report on all bills and resolutions carrying appropriations, previously referred to another committee, as authorized by Rule 55 and 78 (2). The Committee shall consist of twenty-four (24) members.

The Finance and Taxation Committee shall be divided into two (2) eleven member subcommittees. The chairperson and deputy chairperson of the Finance and Taxation Committee shall serve as voting members of both subcommittees. The chairperson of the Finance and Taxation Committee, or, in the event of his or her absence, the deputy chairperson shall preside at meetings of both subcommittees. The President of the Senate shall appoint a vice chairperson of each subcommittee. One subcommittee shall be referred to as the Finance and Taxation Subcommittee on Education and the other subcommittee shall be referred to as the Finance and Taxation Subcommittee on General Funding. The two respective subcommittees shall consider the two basic appropriations as separate and distinct entities. The chairperson, in his or her complete discretion, shall refer all other bills assigned to the Finance and Taxation Committee to either of the two subcommittees. If either of the two subcommittees vote to give a favorable report to its respective bills, then the bill shall be reported out favorably by the committee to receive its second reading.

(2) Rules, which committee shall have supervision over the Revision of the Journal, Enrolled Bills, and Engrossed Bills. In addition, the Committee on Rules shall consider and report on matters required by the rules of the Senate, as follows: Motions or resolutions to set aside a regular order of business (Rule 8); motions for placing bills on the Consent Calendar (Rule 14); motions or resolutions for a Special Order Consent Calendar (Rule 14 (7)); motions or resolutions for a special order (Rule 13); special rules that debate on a pending measure shall cease at a certain hour and a vote be taken on the measure (Rule 20); executive nominations and appointments (Rule 34); propositions to suspend, modify, or amend any rule or any part thereof (Rule 37); all resolutions that may be referred to it (Rule 56); after the 26th legislative day, to act upon bills that originate in the Senate (Rule 60); after the 28th legislative day, to act upon bills that originate in the House of Representatives (Rule 61). Also, the Committee on Rules shall render advisory opinions to any lobbyist who seeks advice about the rules relating to lobbying, and the committee shall make recommendations regarding the imposition of penalties prescribed for violations of the rules relating to lobbying (Joint Rules 18 and 20). The Committee on Rules shall consist of seven (7) members.

(3) Judiciary, to which committee shall be referred all bills and other matters concerning: the judiciary, judicial proceedings, law enforcement, and penal and correctional institutions and programs. The Committee on the Judiciary shall consist of fifteen (15) members.

(4) Governmental Affairs, to which committee shall be referred all bills, resolutions, and other matters concerning: elections, the organization

and operation of the state government, including matters relating to the organization, reorganization, establishment, or abolition of any department, board, commission, or other agency of the state government, and matters pertaining to the merit system, or otherwise related to employment in the state civil service, and the organization and government of any incorporated municipality in the State of Alabama and all bills and other matters relating to counties in Alabama. The Committee on Governmental Affairs shall consist of fifteen (15) members.

(5) Constitutional Revision, to which committee shall be referred all bills, resolutions and other matters concerning proposed amendments to the Constitution of Alabama, as well as bills proposing a new Alabama Constitution and Resolutions or bills calling for the convening of a constitutional convention for the purpose of rewriting the Alabama Constitution and all bills relating to lotteries and gaming. This committee shall consist of seven (7) members.

(6) Agriculture, Conservation, and Forestry, to which committee shall be referred all bills and other matters concerning agriculture in the State of Alabama, and all bills and other matters of the State relating to forestry, fish and game, soil conservation, and public waters and lands. The committee shall also consider bills and other matters relating to state parks, historical sites, and outdoor recreational facilities. The Committee on Agriculture, Conservation, and Forestry shall consist of fifteen (15) members.

(7) Business and Labor Relations, to which committee shall be referred all bills and other matters concerning the conditions and interests of labor, including unemployment compensation, workmen's compensation, and industrial labor relations. The Committee on Business and Labor Relations shall consist of nine (9) members.

(8) Education, to which committee shall be referred all bills and other matters concerning primary, secondary, post secondary, and higher education, and other institutions and matters directly related to education. The Committee on Education shall consist of nine (9) members.

(9) Health and Welfare, to which committee shall be referred all bills and other matters concerning the health or welfare of the people of Alabama. The Committee on Health and Welfare shall consider bills and other matters relating to hospitals and other health facilities, the mental health program, and mental institutions. The Committee on Health and Welfare shall consist of nine (9) members.

(10) Banking and Insurance, to which committee shall be referred all bills and other matters concerning: banks, banking, savings and loan associations, credit unions, and other financial institutions in this State, including the small loan business; and all bills and other matters concerning the business of insurance in Alabama, including bills and other matters relating to private pension and retirement systems. The Committee on Banking and Insurance shall consist of fifteen (15) members.

(11) Commerce, Transportation, and Utilities, to which committee shall be referred all bills and other matters concerning: commerce and the economic system of the State, natural and mineral resources, motor vehicles, traffic regulations, highways, railways, airports and air transportation facilities, pipelines, and all matters relating to common carriers or other forms of transportation; all bills and other matters concerning utilities and utility systems within the State; and all bills and other matters relating to ports, harbors, docks, waterways, and maritime matters. The Committee on

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Commerce, Transportation, and Utilities shall consist of nine (9) members.

(12) Consumer Affairs, to which committee shall be referred all bills that affect the State's consumers involved in the purchase or use of consumer goods and services. This committee shall consist of seven (7) members.

(13) Buildings and Grounds, to which committee shall be referred all bills containing matters affecting physical facilities of the state or its subdivisions or any other matter deemed appropriate by the Presiding Officer. This committee shall consist of three (3) members.

(14) Industrial Expansion, Economic Growth, and Jobs, to which committee shall be referred all bills pertaining to industrial development, the Alabama Development Office, industrial bond programs, and any other legislation promoting economic growth. This committee shall consist of nine (9) members.

(15) Committee on Aging, to which committee shall be referred all bills relating to the affairs of senior citizens. This committee shall consist of nine (9) members.

(16) Student and Youth Activities, to which committee shall be referred all bills relating to affairs and activities of youth, including student grants, tuition assistance, and student loans. The committee shall consist of seven (7) members.

(17) Small Business, to which committee shall be referred all bills relating to small businesses. This committee shall consist of seven (7) members.

(18) Military Affairs, to which committee shall be referred all bills relating to military affairs and the national guard. This committee shall consist of seven (7) members.

(19) Local Legislation No. 1, to which committee shall be referred all bills and other matters concerning local legislation in counties having a population of less than 500,000. Local legislation under this rule shall consist of any bill that applies to any political subdivision or subdivisions of the state less than the whole. The Committee on Local Legislation No. 1 shall consist of seven (7) members.

(20) Local Legislation No. 2, to which committee shall be referred all bills and other matters concerning local legislation in counties having a population of 500,000 or more. Local legislation under this rule shall consist of any bill that applies to any political subdivision or subdivisions of the state less than the whole. The Committee on Local Legislation No. 2 shall consist of eight (8) members.

RULE 52. (a) No committee, with the exception of the Committee on Rules, shall meet on the Senate floor while the Senate is in session. No committee shall meet off the Senate floor while the Senate is in session unless the time and place shall be previously announced by the presiding officer.

(b) Each Committee shall have investigatory powers and is authorized to hold hearings on any subject under its jurisdiction, to require attendance, upon appropriate notice, of State government officials and/or employees to give testimony at such hearings, and to formulate reports and recommendations regarding the activities or actions of such agency or department being investigated or reviewed by such Committee.

RULE 53. Every bill, petition, memorial, or other paper shall, upon the first reading thereof, be referred by the President or presiding officer to a standing committee having the subject matter thereof for consideration.

RULE 54. When motions are made for reference of the same subject to a select committee and to a standing committee, the question on reference to the standing committee shall be put first. A select committee is a committee appointed by the Chair to study one specific question and ceases to exist when the purpose for which it was selected has been resolved.

RULE 55. A bill or resolution carrying an appropriation may be referred to a committee other than the Committee on Finance and Taxation if the subject matter requires such referral in the judgment of the presiding officer. However, such bill or resolution may also be referred to and reported by the Committee on Finance and Taxation before being given a second reading.

RULE 56. All resolutions shall be referred to and reported from the Committee on Rules before consideration by the Senate. This rule shall not apply to resolutions requiring immediate consideration. Resolutions of congratulation, commendation or sympathy may be reported by the Committee on Rules, in resolution form, en masse for adoption by the Senate; provided, however, any such resolution so reported, which requires action other than congratulating, commending or expressing sympathy, shall be void ab initio.

RULE 57. When a bill has been acted upon by a standing committee, the committee's chairperson shall endorse on said bill:

"This bill was referred to the Standing Committee of the Senate on _____ and was acted upon by such Committee in session and is by order of the Committee returned therefrom with _____ report by a vote of yeas _____ nays _____ this _____ day of _____ 19____.

Chairperson"

RULE 58. The final vote of a committee on a bill shall be recorded and kept as a permanent record in the office of the Secretary of the Senate. No bill shall receive its second reading without the final vote of a committee attached thereto. This rule shall not apply to local bills.

RULE 59. A committee may return a bill or resolution for its second reading without recommendation which shall constitute action by such committee.

RULE 60. After the Senate adjourns following the 26th legislative day, no standing committee of the Senate, other than the Committee on Rules, shall act upon any bill that originated in the Senate.

RULE 61. After the Senate adjourns after the end of the 28th legislative day, no standing committee of the Senate, other than the Committee on Rules, shall act upon any bill that originated in the House of Representatives.

RULE 62. No bill shall be reported out of committee by any means without having been considered and acted upon at a meeting of the committee to which such bill was assigned.

RULE 63. The Committee on Rules may report at any time.

RULE 64. Whenever the chairperson of any committee shall refuse to call a meeting of such committee, then a majority of the members of the committee may call a meeting by giving one day's written notice setting the

time and place for such meeting. Such notice shall be read by the Secretary and posted in the Senate Chamber. Whenever the chairperson and vice chairperson are absent at any committee meeting, a majority of a committee may designate any member of the committee as acting chairperson for that particular meeting only.

RULES RELATING TO THE SECRETARY AND THE JOURNAL

RULE 65. The proceedings of the Senate, when not in committee of the whole, shall be entered on the journal as concisely as possible, care being taken to detail a true and accurate account thereof. Every vote of the Senate shall be entered on the journal, and a brief statement of the contents of each item of legislation presented to the Senate shall be inserted thereon.

RULE 66. The titles of bills and such parts thereof only as shall be affected by proposed amendments shall be inserted in the journal.

RULE 67. The Secretary shall, on the introduction of bills, make a photocopy of each bill to be designated as a second official copy, and shall make an entry in the journal as follows:

“INTRODUCTION OF BILLS

“Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees as follows: (Here set out the number, title and sponsors of each bill introduced and the name of the committee to which it was referred. The name of the chief sponsor shall be underscored on the original bill.)”

RULE 68. When a bill shall be returned from a standing committee, the Secretary shall make the journal read:

“Senator _____, Chairperson of the standing committee on _____, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a _____, which bills were severally read a second time and placed on the calendar, to-wit:”.

RULE 69. On the signing of bills or resolutions, the Secretary shall make the journal read:

“SIGNING OF BILLS (OR RESOLUTIONS)

“The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills (or resolutions), the titles of which are set out in the foregoing (Message from the House, or Report from the Committee on Rules as the case may be).”

RULE 70. Messages shall be sent to the House of Representatives by the Secretary, who shall endorse the final determination of the Senate thereon.

RULE 71. The Secretary shall provide the chairperson of each standing committee with a stamp with which to make endorsements on bills. Each standing committee of the Senate shall be furnished a secretary or clerk by the Secretary of the Senate. Office space shall be provided to the President Pro Tempore and to the chairpersons of standing committees as

such space is made available to the Senate.

RULE 72. Upon adjournment of the Senate, the Secretary shall enter on the journal the hour of adjournment and the name of the member on whose motion adjournment was adopted.

RULE 73. If a Senator be called to order by a Senator for words spoken, the exceptional words shall be taken down immediately in writing by the Secretary. The presiding officer shall then judge the matter, and rule accordingly.

RULE 74. The Secretary shall furnish to the members daily a printed calendar of all bills and resolutions on third reading and such calendar shall be designated "Regular Order Calendar." The bills and resolutions listed therein shall be arranged in the order in which they are entitled to consideration.

The Secretary also shall furnish to the members daily a printed calendar designated as "Consent Calendar" which shall list all bills placed thereon by the Committee on Rules and those bills which are pending for placement on the said Consent Calendar.

The Secretary also shall furnish to the members daily a printed list of those bills which are being held in Rules Committee for placement on the Consent Calendar as prescribed in Rule 14.

In the event a Special Order Calendar is adopted for more than one day, but is not a continuing order of business until disposed of, then such bills on special order shall be returned to their original position on the Regular Order Calendar occupied by them before the adoption of the special order. Whenever the calendar contains more than twenty-five (25) pages, a numerical index of all Senate and House bills contained in that day's calendar (with the number of the page on which the bill appears in the calendar printed opposite the bill's assigned number) shall be printed on the last pages of that day's calendar, or on a separate pamphlet which can be slipped into the back of the calendar.

In the event a special order is adopted from bills appearing on the Consent Calendar, the Secretary also shall furnish to the members daily a calendar designated "Special Order Consent Calendar" (Rule 14 (7)). If such calendar is not a continuing order of business until disposed of, then such bills remaining on the Special Order Consent Calendar shall be returned to their original position on the Consent Calendar occupied by them before the adoption of said Special Order Consent Calendar.

RULE 75. The Secretary shall cause to be printed and distributed among the members of the Senate a pocket-sized book or pamphlet, which shall include the following information: (a) a picture and brief biography of each Senator, his or her address, home and business phone, and committee assignments; (b) a list of Senate committees and their memberships; (c) Senate and joint rules; (d) a brief explanation of the legislative process including legislative powers, qualifications, and duties of legislators; and (e) instructions for the drafting of bills.

RULE 76. The Secretary shall not employ any person as a page who is under the age of twelve (12) years.

RULE 77. Every bill or resolution making an appropriation from the state treasury or increasing or decreasing state revenue shall, before any vote is taken thereon by the Senate, have endorsed thereon or attached thereto a reliable estimate of the amount of money involved therein, and

the anticipated increase or decrease in revenue collections under the provisions of the bill. The fiscal note shall be prepared by or under the supervision of the standing committee to which the bill is referred. The fiscal note shall be endorsed on the bill or attached thereto, and shall be printed on the calendar of bills on third reading immediately following the title of the bill. Any bill or resolution on second reading not having a fiscal note affixed thereto shall be recommitted to the Committee on Finance and Taxation. No bill or resolution shall be given its third reading if affected by this rule, unless it has affixed thereto a valid fiscal note.

RULE 78. (1) All general bills or resolutions creating or making or eliminating a program requiring the expenditure of funds by local unit of government, causing to be made an appropriation from any county or municipal treasury shall have endorsed and attached thereto a reliable estimate of the money involved therein and the anticipated increase or decrease in spending and the increase and decrease of the anticipated revenue and the general fiscal impact on counties and municipalities of the provisions of the bill.

(2) All resolutions creating a committee or program wherein the expenditure of funds out of the state treasury is authorized must contain the same fiscal note as defined in paragraph one above and must be referred to the Committee on Rules unless consent to suspend this rule is obtained, as provided in Rule 37.

(3) All fiscal notes provided for in this rule and other rules of the Senate must be prepared by or certified by the chief legislative fiscal officer as being substantially accurate to the best of his knowledge, information and belief.

RULE 79. The indices of the Senate Journals shall include a topic index of all bills referenced in the journals, a numerical index, a sponsor index and an index of "Miscellaneous Subjects." The indices shall be distinguished from the textual material by the use of paper of a distinctive color and the indices shall be prefaced by a page of explanatory material that will instruct a person totally unfamiliar with the journals on the most efficient means of locating particular items of information. Speeches received in the two houses in joint sessions and printed in full in the House Journal shall carry an abridged statement in the Senate Journal and a distinct reference to the full text in the House Journal.

Which was adopted.

Senator Foshee then offered the following Senate Joint Resolution, to-wit:

S. J. R. 2. JOINT RULES OF THE LEGISLATURE

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That the following be adopted as the Joint Rules of the two Houses for the quadrennium 1983 - 1986, to-wit:

JOINT RULES OF THE TWO HOUSES OF THE LEGISLATURE OF ALABAMA 1983

1. Messages from one house to the other shall take precedence over all other questions.

2. When House or Senate bills are signed by the presiding officer of the House or Senate, the Clerk or Secretary, as the case may be, shall notify

the other house and request the signature of the presiding officer to the same, and as soon as the message is read, the presiding officer shall immediately sign the bills in the presence of the House or Senate, as prescribed by the Constitution.

3. No local or special bill shall be introduced into either house unless the member who introduces it discloses at the time the fact that the notice required by the Constitution and laws has been given, and submits one copy of the notice and proof thereof attached to the bill.

4. No bill amending a section or part of the Code by reference to the section or other subdivision of the Code shall be introduced into either house unless the title thereof contains a brief statement of the general subject, independent of references to the Code section, to which such section or subsection relates.

5. The Secretary or the Clerk, as the case may be, shall, when a bill is duly enrolled and signed by the presiding officers of both houses, deliver the bill to the Governor noting thereon the day and hour and minute of delivery, and he shall make a written report to the house where the bill originated showing the number of the bill and time of delivery, which shall be spread upon the Journal.

6. All official printed legislative documents placed in the custody of the Clerk of the House and the Secretary of the Senate shall be assigned a number by the Secretary or the Clerk and the number, year and the session shall clearly appear on the title page of the document.

7. The printer shall print fifty copies of each legislative document for the use of the Department of Archives and History, unless otherwise ordered by the Director.

8. The privileges of the floor of both houses are accorded the Directors and employees of the Department of Archives and History and the Legislative Reference Service and the Legislative Fiscal Officer and employees of the Legislative Fiscal Office in aid of the reference work required by law to be done for members of the Legislature.

9. The presiding officer of the Senate shall preside when the two Houses meet in joint sessions.

10. During the period between the end of a regular session and the convening of the next regular session, except for the period between the end of the last regular session in the quadrennium and the general election, members may deliver bills to the Clerk or Secretary. This shall be known as "pre-filing." Such bills shall be numbered by the Clerk or Secretary in the order of receipt and otherwise processed for introduction when the regular session has been convened. Pre-filed bills shall be assigned by the presiding officer to a standing committee for study and shall be formally referred to the same committee upon commencement of the regular session.

11. Resolutions of sympathy, commendation or congratulations shall be by House resolution or by Senate resolution and shall be filed with the Secretary of the Senate or the Clerk of the House who shall cause the respective journals to reflect that such resolution was filed by inserting the title thereof in their respective journals; the Secretary or the Clerk, respectively, shall prepare appropriate copies for distribution; provided, however, by suspension of the rules such resolutions shall be made a part of the journals.

12. (a) No bill amending an existing statute shall be accepted for in-

troductioin in the Legislature unless:

(1) the language to be deleted is stricken through (example: ~~stricken through~~) and (2) the language to be inserted is underscored (example: underscored).

(b) All amendments to bills shall refer to the line or lines to be amended by number and shall strike out the language to be deleted and underline the new language.

(c) No bill shall be accepted by the Secretary or Clerk for introduction unless it is a legible copy and is typed on 8½" x 14" paper with numbered, double-spaced lines.

(d) The provisions of this rule shall not apply to local bills.

13. All bills, except local bills, introduced in the House and Senate shall have printed at the top of the bill a brief synopsis of the contents.

14. All members of the House and Senate, the press corps, employees of the two houses and any guests or visitors in the balconies of each house are prohibited from carrying a firearm or any other thing that might be construed to be a lethal weapon while in the House or Senate Chambers or any place on the second or third floor of the Capitol. This rule will not apply to employees of the two houses who are security officers.

RULES RELATING TO COMMITTEES

15. A Committee on Conference to reconcile the difference on pending legislation between the two houses of the Alabama Legislature shall consist of six members, three of whom shall be members of the House, appointed by the Speaker thereof, and three from the Senate, to be appointed by the President of the Senate. The Committee on Conference shall not report unless there be an affirmative vote of at least four members which must consist of at least two votes by the conferees from each house. The report of the Committee on Conference shall be attached to the pending legislation and returned to the house of origin for such action as that house may deem appropriate. The house of origin may take one of the following courses of action:

a. They may concur in the Committee on Conference report and, in the event of this action, the bill and the Conference Committee report shall be sent to the other house for action.

b. The house of origin may reject the Conference Committee report, in which case the pending legislation is automatically void.

c. The house of origin may reject the report of the Committee on Conference and request that a new committee be appointed by the respective presiding officers.

In the event the house of origin adopts the Committee on Conference report, the pending legislation, together with the report of the Committee on Conference, shall be submitted to the other house for action in the same manner as in the house of origin.

In the event the minority wishes to submit a report, the house of origin shall first consider the majority report, after which it may then consider accepting the minority report.

In the event of a majority report rejection, the minority report may be considered and, if concurred in by the house of origin, the same shall be

presented to the other house for action by that house.

The Committee of Conferees shall report substantially as follows:

We, the Committee of Conferees appointed to reconcile the difference between the two Houses concerning House Bill/Senate Bill _____ have met, considered the matter, and agreed to the following:

(Example: Substitute for H.B./S.B. ____ is attached).

(Example: Amend H.B./S.B. ____ as follows:)

Name

Name

Name

CONFEREES OF THE HOUSE

Name

Name

Name

CONFEREES OF THE SENATE

RULES RELATING TO LOBBYING

16. Those Required to Register. All persons, except members of the Alabama Legislature, who seek to encourage the passage, defeat or modification of any legislation in either House of the Legislature or before its committees shall, before engaging in such activities, register with the Secretary of the Senate and the Clerk of the House, respectively. Every registrant, in accordance herewith, shall also be required to state the extent of any direct business association or partnership with any current member of the Legislature. This rule includes all persons representing any segment of municipal, county, state or federal government, or municipal, county, state, or federal government employees, and employees of newspapers, magazines, or journals, that are compensated by any person, firm, corporations, or associations other than the news media by which they are employed.

17. Method of Registration. Each calendar year every such person shall register on forms prepared by the Secretary and Clerk, respectively, and shall state his name and business address, the name and business address of his principal or principals, the general and specific areas of his legislative interests, and the duration of his agency.

No registered lobbyist shall be permitted upon the floor of either house while it is in session, except as otherwise provided.

18. Registration Exception. Any person who, on an isolated basis and without intent to continue beyond a single day during a session of the Alabama Legislature, merely appears before a committee or committees in his individual capacity, or on behalf of a corporation, partnership or other business entity, with which such person is regularly associated as an employee, officer or partner without receiving additional salary or compensation, other

than reasonable and ordinary travel expense, to express support of or opposition to any legislation, and who shall so declare to the members of any committee, or to the committee as a whole, with whom he discusses any proposed legislation, shall not be required to register as a lobbyist.

19. **Obligations of Lobbyist.** A lobbyist shall supply facts, information, and opinions of principals to legislators from the point of view from which he openly declares. A lobbyist shall not offer or propose anything to improperly influence the official act, decision, or vote of a legislator.

A lobbyist, by personal example and admonition to colleagues, shall uphold the honor of the legislative process by the integrity of his relationship with legislators.

A lobbyist shall not knowingly and willfully falsify a material fact or make any false, fictitious, or fraudulent statement or representation or make or use any writing or document knowing the same contains any false, fictitious, or fraudulent statements or entry.

20. **Rules Committee Advisory Opinions.** A lobbyist, when in doubt about the applicability and interpretation of this rule in a particular context, may submit in writing a statement of the facts involved to the Joint Committee on Rules and may appear in person before said committee.

21. **Penalties for Violations.** Separately from any prosecutions or penalties otherwise provided by law, any person determined to have violated the requirements of these rules shall be censured, reprimanded, placed on probation or prohibited from lobbying for the duration of the session and from appearing before any committee of the Legislature. Said determination shall be made by a majority of the respective House upon recommendation of the Joint Committee on Rules. The Joint Committee on Rules, before making said recommendation, shall conduct a hearing, after notifying the person alleged to have violated this rule and granting such person an opportunity to appear at the hearing.

22. **Secretary to Provide Forms.** The Secretary of the Senate or the Clerk of the House shall provide blank affidavits for the convenience of registrants but the burden of compliance nevertheless always shall be upon the person required to register.

23. **Committees to be Diligent.** Committees shall be diligent to ascertain whether those who appear before them in other than an obviously individual capacity have conformed with the requirements of this rule, and to report violations. No committeeman knowingly shall permit an unregistered lobbyist to be heard.

On motion of Senator Foshee, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Foshee then offered the following Senate Joint Resolution, to-wit:

S. J. R. 3. COMMITTEE APPOINTED TO NOTIFY GOVERNOR THAT LEGISLATURE IS IN SESSION.

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That a committee of three members of the Senate, to be named by the Presiding Officer of the Senate, and three members of the House, to be named by the Speaker of the House, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

BE IT FURTHER RESOLVED That said committee ascertain from His Excellency, the Governor, if he desires to address a Joint Session of the Legislature.

BE IT FURTHER RESOLVED That, in the event the Governor so desires, said Committee serve as a committee to escort the Governor to the House Chamber for the Joint Session.

On motion of Senator Foshee, the Rules were suspended and the Resolution was adopted by the Senate.

And the President Pro Tempore of the Senate appointed as members on part of the Senate Senators Denton, Smith (J), and Foshee.

Senator Foshee then offered the following Senate Joint Resolution, to-wit:

S. J. R. 4. CREATING A LEGISLATIVE PARKING COMMITTEE.

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That there is hereby created a joint committee to work with the State Capitol Police in assigning parking places to members of the Legislature. Said committee shall consist of three members of the House, to be appointed by the Speaker, and three members of the Senate, to be appointed by the Presiding Officer of the Senate.

On motion of Senator Foshee, the Rules were suspended and the Resolution was adopted by the Senate.

And the President Pro Tempore of the Senate appointed as members on part of the Senate Senators Bishop, Denton, and Foshee.

Senators Foshee, Aldridge, Amari, Bachus, Bailey, Barron, Bedford, Bedsole, Bishop, Boyington, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dixon, Figures, Goodwin, Harrison, Hilliard, Holmes, Keener, Kirkland, Little, Menton, Mitchell, Mitchem, Parsons, Pearson, Proctor, Robertson, Smith (B), Smith (J), and Teague, offered the following Senate Joint Resolution, to-wit:

S. J. R. 5. EXPRESSING THE SYMPATHY OF THE LEGISLATURE TO THE FAMILY OF BERRY LYNCHMORE CANTRELL.

WHEREAS, One of the most colorful and popular figures to grace the legislative halls of the Capitol in recent memory was former senator Berry Lynchmore Cantrell; and

WHEREAS, Mr. Cantrell, more recently with the security staff of the Senate, made himself an indispensable member of the staff and friend to each member of the Senate; and

WHEREAS, Mr. Cantrell, originally from Marion County, served in the 1955-59 Senate during the Folsom administration, and a term in the House during the first Wallace administration; he was also a deputy prison commission, and ran for the presidency of the Public Service Commission; and

WHEREAS, Since the inception of the security system in the Senate, Mr. Cantrell had served as its chief, utilizing his strict Marine training in the enforcement of rules regarding privileges of the floor, dress code, and general conduct; and

WHEREAS, After a valiant battle against cancer, Mr. Cantrell died in September, leaving a real void in the Capitol halls and in the hearts of his many friends; now, therefore,

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BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That we express our gratitude for the privilege of having known and loved Berry Lynchmore Cantrell; we will miss his fierce protection of the dignity of the legislative process, his perceptive wit, but, more importantly, his friendship.

BE IT FURTHER RESOLVED That we extend our heartfelt sympathy to his widow, Imogene, to his daughter, Martha C. Faulkner, and his son, Berry Lynchmore Cantrell, Jr.

On motion of Senator Foshee, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Kirkland, Aldridge, Amari, Bachus, Bailey, Barron, Bedford, Bishop, Boyington, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dixon, Figures, Foshee, Goodwin, Harrison, Hilliard, Holmes, Keener, Little, Menton, Mitchell, Mitchem, Parsons, Pearson, Proctor, Robertson, Smith (B), Smith (J), and Teague, offered the following Senate Joint Resolution, to-wit:

S. J. R. 6. COMMENDING OUR COLLEAGUE, MRS. ANN BEDSOLE, AND WELCOMING HER AS A MEMBER OF THE ALABAMA SENATE.

WHEREAS, this Organizational Session of the 1983 Legislature is an historic occasion for the State of Alabama in that our good friend and colleague, Mrs. Ann Bedsole of Mobile, takes a seat as the "First Lady" of the Senate; and

WHEREAS, to become the first woman ever to be so elected is a milestone in itself, but it is a bonus in the esthetic sense, translating into "lagniappe" for the Senate Chamber which now houses a beauty among its beasts; and

WHEREAS, in a serious vein, however, it is to be noted that Mrs. Bedsole comes to the Senate with solid credentials of experience and dedicated ability following her accomplished four-year term in the Alabama House of Representatives from District 101 in Mobile; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most warmly praise and commend Mrs. Ann Bedsole of Mobile as a prominent and effective public servant whom we now proudly address as Senator Bedsole.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to Senator Bedsole in token of our sincere friendship and with warmest regards.

On motion of Senator Kirkland, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Kirkland, Aldridge, Amari, Bachus, Bailey, Barron, Bedford, Bedsole, Bishop, Boyington, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dixon, Figures, Foshee, Goodwin, Harrison, Hilliard, Holmes, Keener, Little, Menton, Mitchell, Mitchem, Parsons, Pearson, Proctor, Robertson, Smith (B), Smith (J), and Teague, then offered the following Senate Joint Resolution, to-wit:

S. J. R. 7. COMMENDING MR. AL FOX, FORMER DEAN OF THE CAPITOL PRESS CORPS, AND DESIGNATING MR. FOX AS HONORARY MEMBER OF THE ALABAMA SENATE.

WHEREAS, the recent retirement of Mr. Al Fox as political writer for the Birmingham News brought to a close his brilliant career as an outstanding journalist, one who has been honored for achievement on numerous occasions through the years; and

WHEREAS, an alumnus of the University of Tennessee, Mr. Fox also is a retired United States Navy Commander and was associated with The News for the last two decades of his journalistic career; and

WHEREAS, Mr. Fox's accolades include such prestigious recognitions as the Birmingham News "Big N" Award and TSU's Hector Award as well as a number of professional honors bestowed by the Associated Press; and

WHEREAS, it has been the good fortune of many within this membership to have been associated with Al Fox both as a friend and through his assignment to the Capitol, a tenure which ultimately led to his seniority designation as Dean of the Capitol Press; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Mr. Al Fox for outstanding journalistic achievement and, in further recognition, do hereby name and designate Mr. Fox as an honorary member of the Alabama State Senate.

BE IT FURTHER RESOLVED, That "Senator" Fox receive a copy of this resolution in token of our warm affection and regard.

On motion of Senator Kirkland, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Kirkland then offered the following Senate Joint Resolution, to-wit:

S. J. R. 8. COMMENDING MR. BAXLEY RAINES, FFA AMERICAN FARMER AWARD RECIPIENT,

WHEREAS, Mr. Baxley Raines of East Brewton, Alabama, is a recent designee of the highest Future Farmers of America degree of membership, that of American Farmer; and

WHEREAS, Mr. Raines, who is a member of the W. S. Neal FFA Chapter, received this prestigious recognition at the 55th National FFA Convention in Kansas City, Missouri, along with 751 other outstanding FFA's from throughout the nation; and

WHEREAS, the American Farmer program of FFA is a special project of the National FFA Foundation and is co-sponsored by a number of large American corporations in an effort to support and encourage our youth in FFA participation; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend Mr. Baxley Raines for his many accomplishments as a member of the Future Farmers of America; we congratulate Mr. Raines on his American Farmer designation and direct that he receive a copy of this resolution in token of our esteem.

On motion of Senator Kirkland, the Rules were suspended and the Resolution was adopted by the Senate.

Senator deGraffenried offered the following Senate Joint Resolution, to-wit:

S. J. R. 9. CREATING A JOINT INTERIM COMMITTEE OF THE LEGISLATURE ON STATE CONSTITUTIONAL REVISION.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim legislative committee to study any and all aspects of the State Constitution and its revision, in whole or in part, and to prepare drafts therefor for introduction and consideration by the legislature. The committee shall be composed of 14 members as follows: Seven members of the Senate appointed by the Lieutenant Governor, who shall be the chairman and the Senate members of the Standing Committee on Constitutional Revision, and seven members of the House of Representatives appointed by the Speaker. The Committee shall elect a chairman and a co-chairman of the committee from among its members. The chairman or co-chairman shall preside over the meetings of the committee. The committee shall meet upon the call of its chairman or upon the written request of seven or more members.

The committee shall study any and all aspects of the State Constitution and shall prepare drafts therefor for introduction and shall report its findings, comments and suggestions to the legislature on the first legislative day of the next regular session or at any special session, called for the purpose of revising in whole or in part the Constitution, of the legislature.

The members of the committee shall be paid the same compensation and expenses that they receive while in legislative session upon approval of the chairman and warrant issued according to law. Provided, however, said members shall not be paid for days on which they otherwise receive legislative pay. The payment of all compensation and expenses under this resolution shall be paid from funds appropriated to the use of the Legislature.

On motion of Senator deGraffenried, the Rules were suspended and the Resolution was adopted by the Senate.

Senators deGraffenried, Aldridge, Amari, Bachus, Bailey, Barron, Bedford, Bedsole, Bishop, Boyington, Cabaniss, Cooley, Corbett, Covington, Denton, Dixon, Figures, Foshee, Goodwin, Harrison, Hilliard, Holmes, Keener, Kirkland, Little, Menton, Mitchell, Mitchem, Parsons, Pearson, Proctor, Robertson, Smith (B), Smith (J), and Teague, offered the following Senate Joint Resolution, to-wit:

S. J. R. 10. HONORING COACH PAUL WILLIAM BRYANT UPON HIS RETIREMENT AS HEAD FOOTBALL COACH FOR THE ALABAMA CRIMSON TIDE.

WHEREAS, it is with deep regret that the Alabama Legislature notes the retirement of Coach Paul William Bryant as Head Football Coach at the University of Alabama, a position he held for the last 25 years of a brilliant and incomparable 38-year career; and

WHEREAS, Coach Bryant's journey into greatness as the winningest coach of all time was brightly lit along the way by 323 victories, the last in his final game against Illinois in the Liberty Bowl; it is a record perhaps never to be broken by any other major college coach; and

WHEREAS, other milestones to Coach Bryant's credit, marking his climb to the summit, are records that were made and broken from Maryland to Alabama, by way of Kentucky and Texas A & M; and

WHEREAS, statistically to his glory are: Six national championships, all at Alabama; 29 bowl games, including 24 straight for his Alma Mater;

three National Coach of the Year Awards; eight SEC Coach of the Year Awards; a legion of Bryant-coached players who have flooded the ranks of professional football; and an incredible roster of more than 45 former players and assistants who themselves have become head coaches; and

WHEREAS, an enumeration of all his accolades would be both endless and repetitive but a very recent honor was his selection as National Alumnus of the Year by Sigma Nu fraternity; this prestigious award was presented during ceremonies attended by his son and grandson—both of whom also share fraternal kinship with Coach Bryant; and

WHEREAS, that Coach Bryant possesses genius is undisputed; his true greatness, however, is an illusive quality and a rare combination of many—an empathy, understanding and deep care for his players which transcends the gridiron to ultimately reflect such attributes as honor, acceptance of responsibility and a uniqueness for accomplishment; and

WHEREAS, though we deeply regret Coach Bryant's retirement, we are at the same time positive in our respect for his decision and in admiration of his loyalty and love for the University of Alabama; he has walked in the way of honor, served in the light of truth and he has indeed made us proud; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in profound regard and unbounded admiration, we today pay tribute to Coach Paul Bryant, a man whose fame we presume to share but whose nobility is his alone.

On motion of Senator deGraffenried, the Rules were suspended and the Resolution was adopted by the Senate.

Senators deGraffenried, Aldridge, Amari, Bachus, Bailey, Barron, Bedford, Bedsole, Bishop, Boyington, Cabaniss, Cooley, Corbett, Covington, Denton, Dixon, Figures, Foshee, Goodwin, Harrison, Hilliard, Holmes, Keener, Kirkland, Little, Menton, Mitchell, Mitchem, Parsons, Pearson, Proctor, Robertson, Smith (B), Smith (J), and Teague, then offered the following Senate Joint Resolution, to-wit:

S. J. R. 11. EXTENDING A WARM WELCOME TO COACH RAY PERKINS AS HEAD FOOTBALL COACH FOR THE UNIVERSITY OF ALABAMA'S CRIMSON TIDE.

WHEREAS, the Legislature of Alabama notes with commendation and in pleased concurrence the selection of Coach Ray Perkins for the position of Head Football Coach at the University of Alabama; and

WHEREAS, as Coach Perkins returns to Alabama and to his beloved Alma Mater, he brings with him a long list of impressive credentials which run the gamut from High School All-American to Head Coach of the New York Giants; and

WHEREAS, Coach Perkins is a native of Mount Olive, near Petal, Mississippi, and, of course, a former standout receiver for the Crimson Tide where he learned the ABC's of discipline, persistence and winning at the knee of his mentor, Coach Paul Bryant; and

WHEREAS, he was a member of two Crimson Tide National Championship teams, All-American in 1966, and in the Orange Bowl on January 1, 1966, caught a record 10 passes in the first half of the Tide's 39-28 victory over Nebraska; and

WHEREAS, following a five-year stint as a professional with the Balti-

more Colts, Ray Perkins began his coaching career at Mississippi State; he joined the coaching staff at Boston a year later, also coached at San Diego, and has been Head Coach for the Giants for the past four years; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we herein extend a warm and joyous "Welcome Home" to Coach Ray Perkins, Head Coach of the University of Alabama's Crimson Tide.

BE IT FURTHER RESOLVED, That Coach Perkins receive a copy of this resolution that he may be aware of our great pride and pleasure in his "homecoming," in every sense.

On motion of Senator deGraffenried, the Rules were suspended and the Resolution was adopted by the Senate.

Senator deGraffenried then offered the following Senate Joint Resolution, to-wit:

S. J. R. 12. MOURNING THE DEATH OF DR. ROBERT JOSEPH NICOLOSI OF THE UNIVERSITY OF ALABAMA MUSIC FACULTY.

WHEREAS, the Legislature of Alabama grievously notes the death of Dr. Robert Joseph Nicolosi of Tuscaloosa, Alabama, on October 12, 1982, at the early age of just 38 years; and

WHEREAS, Dr. Nicolosi, who was a beloved member of the University of Alabama's music faculty for some ten years, was a graduate of Catholic University in Washington, D. C., with his Ph.D. in Musicology acquired at Washington University in Saint Louis; and

WHEREAS, prior to his association with the University of Alabama, Dr. Nicolosi had served in Saint Louis on the Washington University faculty and the faculties of the Community Music School and the Metropolitan Education Center in the Arts; and

WHEREAS, during his tenure at Alabama, he was active in the affairs of the nationally renowned University Music Department and had served in various other leadership capacities including member of the faculty senate, chairman of the University Library Committee and chairman of the Search Committee for the new library dean; and

WHEREAS, professionally, Dr. Nicolosi had served as a past chairman of the Southern Chapter of the American Musicological Society and, at the time of his death, was serving as program chairman for musicology for the National Music Teachers Association; and

WHEREAS, he further was a member of Christ Episcopal Church and was active as well in other affairs of the community which now sorely grieves in the loss of such an accomplished, talented and selfless individual; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we are deeply saddened by the death of Dr. Robert Joseph Nicolosi of Tuscaloosa, Alabama, and extend our deepest sympathy to his wife, Mrs. Karen B. Nicolosi; their children, Jeffrey and Gianna; to his mother, Mrs. Jennie Nicolosi, and other family members to whom a copy of his resolution shall be sent bespeaking our shared sorrow in their great loss.

On motion of Senator deGraffenried, the Rules were suspended and the

Resolution was adopted by the Senate.

Senators Smith (B), Smith (J), Mitchem, Cooley, Aldridge, Cabaniss, Denton, Teague, Parsons, deGraffenried, Little, Dixon, Mitchell, Bedsole, Holmes, and Bailey offered the following Senate Joint Resolution, to-wit:

S. J. R. 13. CREATING A JOINT LEGISLATIVE COMMITTEE ON INDUSTRIAL EXPANSION, ECONOMIC GROWTH AND JOBS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint legislative committee to be composed of nine members of the House of Representatives and nine members of the Senate to be appointed by the respective officers of each house. The chairman and vice chairman of the committee shall be appointed from among its legislative members. The committee shall study any and all aspects of industrial expansion, economic growth and development, and jobs in the state and make recommendations to the legislature for the improvement of these same areas.

RESOLVED FURTHER, That the committee shall be empowered to appoint non-members of the legislature with expertise in the specific areas of the committee's responsibilities to assist it. Such persons shall be entitled to their reasonable expenses incurred as a result of such service to the State which shall be paid out of funds appropriated to the use of the legislature.

BE IT FURTHER RESOLVED, That upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. The committee shall report its findings, conclusions and recommendations to the legislature not later than the tenth legislative day of any Regular Session or at any special session called for the purpose. Each legislative member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the legislature, upon warrants drawn on the state comptroller upon requisition signed by the committee's chairman; provided, however, that members shall not receive additional legislative compensation or per diem when the legislature is in session or if a member is being paid any other payments on the same dates for attendance of other state business. Out of state travel will be allowed for the members of the committee but must be approved by the chairman of the committee and the Lieutenant Governor for the members of the Senate and the Speaker for members of the House. The total of all expenses for legislative and non-legislative members shall not exceed \$30,000.

On motion of Senator Smith (B), the Rules were suspended and the resolution was adopted by the Senate.

Senator Proctor offered the following Senate Joint Resolution, to-wit:

S. J. R. 14. CREATING A JOINT LEGISLATIVE COMMITTEE ON APPORTIONMENT ACCORDING TO THE 1980 UNITED STATES CENSUS AND TO PROVIDE FOR THE POWERS AND DUTIES OF SAID COMMITTEE.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That any resolution heretofore passed relating to the legislative reapportionment committee is hereby repealed.

WHEREAS, as a result of the 1980 Census, there may exist a reappor-

tionment problem in Alabama; and

WHEREAS, the Alabama Legislature has enacted a reapportionment statute but has not yet been accepted by the United States Justice Department; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint legislative committee on reapportionment to consist of twenty members as follows: One member of the House of Representatives from each Congressional District, the chairman or vice-chairman of the House Judiciary Committee and two members of the House of Representatives at-large to be appointed by the Speaker of the House and one member of the Senate from each Congressional District, the chairman or vice-chairman of the Senate Judiciary Committee and two members of the Senate at-large, to be appointed by the Lieutenant Governor. This committee shall make a continuous study of the reapportionment problem in Alabama seeking solutions thereto. It shall make such reports of its investigations, findings and recommendations to the legislature at any time during any regular or special session of the legislature as it may deem necessary or desirable. Each member of the committee hereby created shall be entitled to his usual legislative pay, travel expenses and per diem for each day spent in attending such committee meetings or on business of the committee within and without the State. This committee will have no authority after the 1983 Regular Session of the legislature and shall have no further duties or liabilities upon its discharge.

BE IT FURTHER RESOLVED, That the Speaker of the House shall appoint one member from the House as Co-chairman and the Lieutenant Governor shall appoint one member of the Senate as Co-chairman.

BE IT FURTHER RESOLVED, That the committee shall have authority to employ all necessary staff to perform the functions of this committee and the authority to employ consultants, technicians, attorneys and any other experts needed to prepare maps and make professional appearances to support any plan of reapportionment adopted by the legislature. Such employees of the committee shall be paid out of any funds appropriated for the use of the legislature.

BE IT FURTHER RESOLVED, That the Co-chairmen of the committee are authorized and directed to approve for payment the proper and reasonable charges and expenses of consultants, attorneys and technical staff employed or utilized by the 1983 Legislature from November 3, 1982, to the date of adoption of this resolution and each member of the 1983 Legislature, who has served on the Interim Reapportionment Committee, shall be entitled to and be reimbursed for his usual legislative pay, travel expenses and per diem for each day spent in attending committee meetings or on business of the committee within or without the State since November 3, 1982, with payment to come from funds appropriated for the use of the Legislature.

On motion of Senator Proctor, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

I am directed by the House to notify the Senate that the House has perfected its organization by the election of the following officers:

Speaker: Tom Drake

Speaker Pro Tempore: Roy W. Johnson, Jr. and is now ready for the transaction of public business.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Roy Johnson:

H. J. R. 6. BE IT RESOLVED by the House of Representatives, the Senate concurring, that when the two Houses adjourn today, they adjourn to meet again on Wednesday, January 12, 1983, at 11 A.M.

AND BE IT FURTHER RESOLVED that the House of Representatives and Senate meet in joint convention in the Hall of the House of Representatives at 11:30 A.M. January 12, 1983, for the purpose of witnessing the opening and publishing of the returns of the election of executive officers of the State of Alabama at the general election held on November 2, 1982, as required by the Section 115 of the Constitution of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Keener, the Rules were suspended and the Resolution, H.J.R. 6, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTIONS

Senator Holmes offered the following Senate Joint Resolution, to-wit:

S. J. R. 15. CONGRATULATING THE OXFORD HIGH SCHOOL YELLOW JACKETS ON AN OUTSTANDING FOOTBALL SEASON.

WHEREAS, the Alabama Legislature extends congratulations to Oxford High School for an outstanding '82 football season which ended with the Yellow Jackets as runner-up for the State 3-A Championship; and

WHEREAS, for the first time ever, the Jackets went all the way to the finals, playing a 14-game season with only two losses; and

WHEREAS, Oxford High School's phenomenal success was achieved under the outstanding leadership of Head Coach Bill Burgess and coach staff members Charles Maniscalco, Roland Houston, Clint McCall, Larry Davidson, Bobby Buchanan, Scottie McDaniel and Wayne Livingston; team managers were Randy Archer, Ed Brown, Tony Bonner and Greg Reaves; and

WHEREAS, also adding to the success of the season were the Oxford High School cheerleaders, majorettes and band members, the former for their leadership in promoting spirited support for the team and the latter two for their magnificent half-time performances; and

WHEREAS, the Yellow Jacket lineup of talented athletes, each and

every one, consisted of: Keith Taylor, Craig Higgins, Scott Britt, Wally Adams, Keith Bonner, Mike Pogue, Scott Chase, Gerald McRath, Rodney McSheridan, Gerald Cates, Mark Sisky, Don Strickland, Mike Delsandro, Greg Burgess, Marty Livingston, Robby Bussey, Eddie Dempsey, Bruce Harmon, Ronnie Henderson, Steve Crow, Rodney Hansen, Bruce Key, Craig Akin, Buddy Rice, Todd Tanner, Ronnie Strickland, Eddie Willingham, Brian Young, Joey Crosby, Robbie McCormick, John Jurichich, Tracy Edwards, Randall Cunningham, Chris Ervin, Mike Mancill, Ricky Young, Loren Worthy, Andy Cowan, Ed Brunton, Jay Wages, Ronnie Nordan, Wayne Lee, Terry Willingham, Rick Burgess, Mickey Shadrix, Chuck Mason, Eric Williams, Bobby Wood, Donnie Adams, Scottie Norton, Mike Sparks, Rod Cobb, Bart Fowler, Shun Adams, Mike Martin, and Alvin Byars; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend and congratulate the Oxford High School Yellow Jackets as 3-A Area 11 Champions and as runner-up for the State 3-A Football Title.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the school, to Coach Burgess and his staff, and to each member of the team.

On motion of Senator Holmes, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Goodwin offered the following Senate Joint Resolution, to-wit:

S. J. R. 16. COMMENDING MR. SAM DEJARNETTE OF SELMA, ALABAMA.

WHEREAS, Alabamian Sam Dejarnette of Selma is an outstanding member of the University of Southern Mississippi's football team and one whose collegiate career has been extraordinary in accomplishment; and

WHEREAS, a 6-foot, 185-pound sophomore, Mr. Dejarnette ranks fifth in the nation in rushing this season with a 140.5 average, eighth in the country in kickoff returns with an average of 25.3; second in the country in all-purpose running with 180.2 yards per game; and is tied for 16th in the nation in scoring, averaging 8.2 points per game; and

WHEREAS, Sam Dejarnette, this past season, set four USM records in rushing with 1545 yards gained in a season, 304 yards gained in a single game in the USM versus Florida State confrontation, 311 season attempts and 43 single game attempts, again against FSU; and

WHEREAS, he also rushed for over 100 yards in eight of USM's 11 games this season and was an AP selection for National Offensive Player of the Week; and

WHEREAS, Mr. Dejarnette is an Associated Press selection to the All-South Independent Team; both AP and UPI Honorable Mention All-American; Metro Conference Player of the Year by Metro News; and a selection, as well, to the All-Metro Conference Team; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we express utmost commendation of Mr. Sam Dejarnette of the University of Southern Mississippi; we congratulate him as an outstanding athlete and direct that he and his parents, Mr. and Mrs. Sam Dejarnette also of Selma, receive copies of this resolution in token of our warm praise and regard.

On motion of Senator Goodwin, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Little, Teague, Corbett, and Covington offered the following Senate Joint Resolution, to-wit:

S. J. R. 17. RECOMMENDING TO THE AUBURN UNIVERSITY BOARD OF TRUSTEES THAT THE NEW STUDENT ACTIVITIES BUILDING ON THE AUBURN UNIVERSITY CAMPUS BE NAMED THE CLAUDE V. SAIA STUDENT ACTIVITY BUILDING.

WHEREAS, Coach Claude V. Saia of Auburn University has distinguished himself in his many years of service to that institution and her students, faculty, and staff, by promoting quality athletic programs on both the varsity and intramural levels, and

WHEREAS, through Coach Saia's commitment and dedication, Auburn University has achieved national prominence because of the exceptional quality of its athletic programs, and

WHEREAS, Coach Saia is currently the Director of these outstanding intramural programs at Auburn, and

WHEREAS, a new intramural student activity building will soon be completed on the Auburn University campus, to be used for the promotion of good physical and mental health and wellbeing by the students, faculty and staff of Auburn University, and

WHEREAS, this new activity building represents the culmination of years of work by Coach Saia and his staffs to further promote a better quality of life for Auburn University students; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Board of Trustees of Auburn University be encouraged to name the new student activity building the "Claude V. Saia Activity Building", in honor of the many contributions of Coach Saia.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the Auburn University Board of Trustees, and to Coach Claude V. Saia.

On motion of Senator Little, the Rules were suspended and said Resolution was adopted by the Senate.

Senator Keener offered the following Senate Joint Resolution, to-wit:

S. J. R. 18. COMMENDING THE HONORABLE HOBODY G. RAINS UPON HIS RETIREMENT AS CIRCUIT COURT JUDGE OF THE 16th JUDICIAL CIRCUIT, ETOWAH COUNTY.

WHEREAS, the Alabama Legislature notes the impending retirement, on January 17, 1983, of Judge Hobdy G. Rains of Gadsden following his tenure, from 1976 to 1983, as Judge of the 16th Judicial Circuit, Etowah County; we are pleased to note, however, that Judge Rains will continue in service in supernumerary capacity by nomination of Chief Justice C. C. Torbert; and

WHEREAS, Judge Rains is a former Gadsden City Attorney as well as a former district attorney for Etowah County; he is a graduate of the University of Alabama's School of Law, a graduate also of the American Academy of Judicial Education at Washington and Lee University's School of

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Law, and he is a past president of the Etowah County Bar; and

WHEREAS, Judge Rains' involvement extends further to include some 28 years of past service as a Secretary of the State Democratic Executive Committee; he additionally is a member of the Board of Directors of the First Alabama Bank of Gadsden and has served in numerous other civic and community organizations through the years; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most warmly praise Judge Hobdy G. Rains of Gadsden, Alabama, for outstanding service as Circuit Judge, Etowah County; we further express deep admiration of his many outstanding accomplishments in a number of areas and direct that he be presented with a copy of this resolution, tendered in warm praise and regard.

On motion of Senator Keener, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Mitchell, Aldridge, Amari, Bachus, Bailey, Barron, Bedford, Bedsole, Bishop, Boyington, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dixon, Figures, Foshee, Goodwin, Harrison, Hilliard, Holmes, Keener, Kirkland, Little, Menton, Mitchem, Parsons, Pearson, Proctor, Robertson, Smith (B), Smith (J), and Teague, offered the following Senate Joint Resolution, to-wit:

S. J. R. 19. MOURNING THE DEATH OF REPRESENTATIVE WILLIAM DEARA EDWARDS OF FORT DEPOSIT, ALABAMA.

WHEREAS, it is with profound sorrow and in deep regret that the Legislature of Alabama notes the death of our longtime friend and colleague, Representative William Deara Edwards of Fort Deposit, Alabama, on August 27, 1982, at the age of 66 years; and

WHEREAS, a native of Elmore County, Representative Edwards attended the public schools of Lowndes County, Bob Jones University, and graduated from Auburn University with a Bachelor of Science degree; and

WHEREAS, following a career of some 20 years in the farm implement business, Mr. Edwards became a cattle farmer in 1958 with an extensive operation in his beloved Lowndes County; he was a past president of both the Lowndes County Farm Bureau and Cattlemen's Association; and

WHEREAS, Mr. Edwards first served in the Alabama Legislature from 1962 to 1966 as Lowndes County Representative; he returned in 1970, following an interim four years as Lowndes County Legislative Agent, and was subsequently twice re-elected to the House of Representatives; and

WHEREAS, during his legislative career, Representative Bill Edwards served on a number of important committees and not only in membership capacity but as chairman and vice chairman as well; in 1973, he was named to Who's Who in Politics in the South and Southwest, and his legislation to aid the blind was included in the Congressional Record; and

WHEREAS, Mr. Edwards additionally served for more than 20 years with the Selective Service System for which he received the Distinguished Service Award; he also was a Mason and a member of the Methodist Church which he served as Lay Speaker and as a Sunday School teacher for more than two decades; and

WHEREAS, in the death of Mr. Edwards, the constituents of House District 83, as well as the entire citizenry of our State, have lost a dedicated

public servant whose every effort was directed to the progress, good and well-being of his fellowman; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of our good friend, Representative William D. "Bill" Edwards of Fort Deposit, Alabama, and extend our most heartfelt sympathy to his devoted wife of 43 years, Mrs. Virginia Spencer Edwards, and to their two sons, all of whom we also treasure as friends and to whom a copy of this resolution shall be sent.

On motion of Senator Mitchell, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Kirkland offered the following Senate Joint Resolution, to-wit:

S. J. R. 20. COMMENDING MR. LAVON BRADLEY OF ESCAMBIA COUNTY, ALABAMA.

WHEREAS, the Alabama Legislature, in pleased concurrence, notes the selection of Mr. Lavon Bradley of Escambia County, Alabama, as the recipient of the National Future Farmers of America Proficiency Award in Fish and Wildlife; and

WHEREAS, it is further to be noted that this national recognition is the culmination of some three years' work by Mr. Bradley in competition with three other regional winners; and

WHEREAS, young Mr. Bradley began his project by planting small food plots of rye, oats, wheat and chufus for turkeys, deer and quail; he also constructed duck boxes for the protection of baby ducks against predators, and has participated in numerous other projects and activities during his involvement with FFA; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we heartily congratulate Mr. Lavon Bradley upon his recent national recognition; we further extend utmost commendations on his many achievements, wish him every future success, and direct that he receive a copy of this resolution evidencing our sincere warm praise and regard.

On motion of Senator Kirkland, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Bedsole, Menton, and Figures offered the following Senate Joint Resolution, to-wit:

S. J. R. 21. NAMING THE "SPOIL" ISLAND IN MOBILE BAY, EAST OF THE MAIN SHIP CHANNEL AND NORTH OF THE DIAGONAL THEODORE SHIP CHANNEL, THE "WILSON GAILLARD ISLAND."

WHEREAS, the reality of Theodore Industrial Park forecasts an economic boom for Alabama's Mobile area by ultimately employing 4,800 persons, providing an additional 11,000 satellite jobs and creating an annual purchasing power of some \$200 million; and

WHEREAS, in dredging the Theodore Ship Channel, a "spoil" island was created in Mobile Bay by the dredged materials; this island now is a tremendous environmental asset to the entire area and is primarily the result of the dedicated efforts of Dr. Wilson Gaillard of Mobile; and

WHEREAS, before recommending the island as the channel spoil, and for future spoil, Dr. Gaillard first rented an island himself to experiment and explore the feasibility of success for such an undertaking; and

WHEREAS, that this has been accomplished is evidenced by the return of brown pelicans and other birds which now nest there, and marsh grass planted by Dr. Gaillard also has created feeding grounds for shrimp and other seafood as well; and

WHEREAS, it is the consensus of this body that appropriate recognition is mandated for the designer and creator of this island which has in effect saved the environmental aspects of Theodore while promoting new jobs and industries—the great balance between mankind and nature; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in appreciation and recognition of the contributions of Dr. Wilson Gaillard to our state, we hereby name and designate the island in Mobile Bay, 1,300 acres more or less, constructed of material collected from the dredging of the Theodore Ship Channel and located East of the main ship channel and North of the diagonal Theodore Ship Channel, the “Wilson Gaillard Island.”

BE IT FURTHER RESOLVED, That the proper authorities are hereby directed to erect and maintain appropriate signs and markers so designating said island as the “Wilson Gaillard Island.”

RESOLVED FURTHER, That a copy of this resolution be provided for Dr. Wilson Gaillard in token of our sincere regard and as a memento of this honorary designation.

On motion of Senator Bedsole, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Barron and Mitchem offered the following Senate Joint Resolution, to-wit:

S. J. R. 22: DESIGNATING THE WEEK OF JUNE 5, 1983 AS “ALABAMA” WEEK IN HONOR OF THE RENOWNED COUNTRY MUSIC GROUP, “ALABAMA.”

WHEREAS, the country music group called “Alabama” is distinguished in its achievement and has claimed worldwide recognition in the field of country music; and

WHEREAS, the Alabama Legislature notes with inordinate pride that three of the group's members, Jeff Cook, Teddy Gentry and Randy Owen, are all natives of DeKalb County, Alabama, who along with their associate, Mark Herndon, have focused the eyes of the world in favorable identification with the State of Alabama; and

WHEREAS, it is to be further noted that many of the group's hit recordings, such as “My Home's In Alabama,” “Tennessee River,” and “Christmas in Dixie,” among others, reflect “Alabama's” close ties with their native State and Southland; and

WHEREAS, “Alabama” has made numerous nationally-televised appearances and in addition has been variously and often honored with such prestigious nominations and designations as Country Music's Vocal Group of the Year, Instrumental Group of the Year and Entertainer of the Year, as well; and

WHEREAS, the group, commendably, also performs on behalf of many benevolent causes including the annual June Jam held in Ft. Payne, Alabama, for which all proceeds are donated to worthwhile charities; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Alabama's own "Alabama" for outstanding achievement in the field of country music and, in appreciation thereof, do hereby name and designate the week of June 5, 1983, as "Alabama" Week in the State of Alabama.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to "Alabama" in token of our admiration and regard and as a memento of this honorary designation.

On motion of Senator Barron, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Kirkland offered the following Senate Resolution, to-wit:

S. R. 23. COMMENDING MR. JOHNSON LATHRAM, PROMINENT MONROEVILLE BUSINESSMAN.

Also:

S. R. 24. COMMENDING MISS ALICE LEE, PROMINENT MONROEVILLE ATTORNEY.

Also:

S. R. 25. COMMENDING MR. ROBERT B. "BOB" FRESE, MONROEVILLE MAN OF THE YEAR.

Also:

S. R. 26. COMMENDING MR. WILLIE SAUCER AND MR. WESLEY SAUCER, MONROE COUNTY FARMERS OF THE YEAR.

Also:

S. R. 27. COMMENDING MRS. SALLY LAND FOR OUTSTANDING ACHIEVEMENT.

Which were adopted.

ADJOURNMENT

At 1:30 P.M., on motion of Senator deGraffenried, in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Wednesday, January 12, 1983, at 11 o'clock A.M.

ORGANIZATIONAL SESSION
1st Day

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SECOND DAY
WEDNESDAY, JANUARY 12, 1983

The Senate met pursuant to adjournment, President Pro Tempore Teague presiding.

PRAYER

The Session was opened with prayer by the Reverend Lawson Bryan, Minister, Dexter Avenue United Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Bishop	Goodwin	Menton
Aldridge	Cooley	Harrison	Mitchell
Amari	Corbett	Hilliard	Mitchem
Bachus	Covington	Holmes	Parsons
Bailey	Denton	Keener	Robertson
Barron	Dixon	Kirkland	Smith (J)
Bedford	Figures	Little	Teague
Bedsole	Foshee		

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JOURNAL

On motion of Senator Foshee, the reading of the Journal of yesterday was dispensed with.

STATEMENT BY PRESIDENT PRO TEMPORE
APPOINTMENT OF STANDING COMMITTEE CHAIRPERSON

The President Pro Tempore of the Senate, at the request of Lieutenant Governor-elect Baxley, announced the appointment of the Honorable Charles Bishop as Chairperson of the Standing Committee on Rules for the quadrennium, 1983-1986.

REPORT OF COMMITTEE ON RULES ON REVISION OF THE
JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the First Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,
Chairperson.

COMMITTEE REPORT

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the First Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Senator Foshee, leave of absence was granted Sens. Boyington, Cabaniss, deGraffenried, Pearson, Proctor, and Smith (B) for today.

RESOLUTION

Senator Teague offered the following Senate Joint Resolution, to-wit:

S. J. R. 28. EXPRESSING THE LEGISLATURE'S INTENT THAT THE RETIREMENT SYSTEMS OF ALABAMA BE CONSIDERED PUBLIC CORPORATIONS.

WHEREAS, The Supreme Court of Alabama on September 17, 1982, ruled that the Retirement Systems of Alabama were not public corporations, and

WHEREAS, in issuing its ruling the Court attempted to determine legislative intent and based its ruling upon legislative intent, and

WHEREAS, the Court ruling has raised serious questions regarding the legality of the Retirement Systems' approximately \$3 billion in investments in light of the prohibitions contained in Section 93 of the Constitution of Alabama of 1901, against the state investing in corporate securities, and

WHEREAS, the Legislature intended to create, and has always considered, the Retirement Systems to be public corporations, with all the rights, duties, powers, and privileges of public corporations and in fact expressly stated in the creating legislation that the Retirement Systems "shall have the powers and privileges of a corporation," and

WHEREAS, the Retirement Systems has requested that the Supreme Court reconsider its opinion and to find the Retirement Systems to be public corporations, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA BOTH HOUSES THEREOF CONCURRING, That the Legislature hereby restates its belief that the Retirement Systems of Alabama were created as public corporations with all rights, powers, duties, and privileges thereof and expresses its intent that the Retirement Systems be considered public corporations with all the powers and privileges of a corporation, and

BE IT FURTHER RESOLVED, That the Supreme Court of Alabama be provided a copy of this resolution.

Senator Teague then offered the following amendment to the Resolution, S. J. R. 28, to-wit:

Amendment to S. J. R. 28. On p.2 line 7 delete the words "supreme court" and insert in lieu thereof the words "Retirement Systems"

Which was adopted.

And on motion of Senator Teague, said Resolution, S.J.R. 28, as thus amended, was then adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 14. CREATING A JOINT LEGISLATIVE COMMITTEE ON APPORTIONMENT ACCORDING TO THE 1980 UNITED STATES CENSUS AND TO PROVIDE FOR THE POWERS AND DUTIES OF SAID COMMITTEE.

ORGANIZATIONAL SESSION
2nd Day

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JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 3. COMMITTEE APPOINTED TO NOTIFY GOVERNOR THAT LEGISLATURE IS IN SESSION.

Also:

S. J. R. 4. CREATING A LEGISLATIVE PARKING COMMITTEE.

Also:

S. J. R. 5. EXPRESSING THE SYMPATHY OF THE LEGISLATURE TO THE FAMILY OF BERRY LYNCHMORE CANTRELL.

Also:

S. J. R. 6. COMMENDING OUR COLLEAGUE, MRS. ANN BEDSOLE, AND WELCOMING HER AS A MEMBER OF THE ALABAMA SENATE.

Also:

S. J. R. 7. COMMENDING MR. AL FOX, FORMER DEAN OF THE CAPITOL PRESS CORPS, AND DESIGNATING MR. FOX AS HONORARY MEMBER OF THE ALABAMA SENATE.

Also:

S. J. R. 8. COMMENDING MR. BAXLEY RAINES, FFA AMERICAN FARMER AWARD RECIPIENT.

Also:

S. J. R. 10. HONORING COACH PAUL WILLIAM BRYANT UPON HIS RETIREMENT AS HEAD FOOTBALL COACH FOR THE ALABAMA CRIMSON TIDE.

Also:

S. J. R. 11. EXTENDING A WARM WELCOME TO COACH RAY PERKINS AS HEAD FOOTBALL COACH FOR THE UNIVERSITY OF ALABAMA'S CRIMSON TIDE.

Also:

S. J. R. 12. MOURNING THE DEATH OF DR. ROBERT JOSEPH NICOLOSI OF THE UNIVERSITY OF ALABAMA MUSIC FACULTY.

Also:

S. J. R. 15. CONGRATULATING THE OXFORD HIGH SCHOOL YELLOW JACKETS ON AN OUTSTANDING FOOTBALL SEASON.

Also:

S. J. R. 16. COMMENDING MR. SAM DEJARNETTE OF SELMA, ALABAMA.

Also:

S. J. R. 18. COMMENDING THE HONORABLE HOBODY G. RAINS UPON HIS RETIREMENT AS CIRCUIT COURT JUDGE OF THE 16th JUDICIAL CIRCUIT, ETOWAH COUNTY.

Also:

S. J. R. 19. MOURNING THE DEATH OF REPRESENTATIVE WILLIAM DEARA EDWARDS OF FORT DEPOSIT, ALABAMA.

Also:

S. J. R. 20. COMMENDING MR. LAVON BRADLEY OF ESCAMBIA COUNTY, ALABAMA.

Also:

S. J. R. 21. NAMING THE "SPOIL" ISLAND IN MOBILE BAY, EAST OF THE MAIN SHIP CHANNEL AND NORTH OF THE DIAGONAL THEODORE SHIP CHANNEL, THE "WILSON GAILLARD ISLAND."

Also:

S. J. R. 22. DESIGNATING THE WEEK OF JUNE 5, 1983 AS "ALABAMA" WEEK IN HONOR OF THE RENOWNED COUNTRY MUSIC GROUP, "ALABAMA".

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

At 11:15 A.M., on motion of Senator Holmes, the Senate adjourned until Tuesday, January 18, 1983, at 1 o'clock P.M.

EIGHTH DAY
TUESDAY, JANUARY 18, 1983

(The Senate was not in session on the Third through the Seventh Day.)

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

PRAYER

The Session was opened with prayer by Doctor Karl K. Stegall, Troy District Superintendent of the Troy United Methodist Church, Troy, Alabama.

ROLL CALL

Present:

Senators:	Boyington	Foshee	Mitchell
Aldridge	Cabaniss	Goodwin	Mitchem
Amari	Cooley	Harrison	Parsons
Bachus	Corbett	Hilliard	Proctor
Bailey	Covington	Holmes	Robertson
Barron	deGraffenried	Keener	Smith (B)
Bedford	Denton	Kirkland	Smith (J)
Bedsole	Dixon	Little	Teague
Bishop	Figures	Menton	

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JOURNAL

On motion of Senator Teague, the reading of the Journal of yesterday was dispensed with.

LEAVE OF ABSENCE

On motion of Senator Teague, leave of absence was granted Senator Pearson for today.

**REPORT OF
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 4. CREATING A LEGISLATIVE PARKING COMMITTEE.

Also:

S. J. R. 5. EXPRESSING THE SYMPATHY OF THE LEGISLATURE TO THE FAMILY OF BERRY LYNCHMORE CANTRELL.

Also:

S. J. R. 6. COMMENDING OUR COLLEAGUE, MRS. ANN BEDSOLE, AND WELCOMING HER AS A MEMBER OF THE ALABAMA SENATE.

Also:

S. J. R. 7. COMMENDING MR. AL FOX, FORMER DEAN OF THE CAPITOL PRESS CORPS, AND DESIGNATING MR. FOX AS HONORARY MEMBER OF THE ALABAMA SENATE.

Also:

S. J. R. 8. COMMENDING MR. BAXLEY RAINES, FFA AMERICAN FARMER AWARD RECIPIENT.

Also:

S. J. R. 10. HONORING COACH PAUL WILLIAM BRYANT UPON HIS RETIREMENT AS HEAD FOOTBALL COACH FOR THE ALABAMA CRIMSON TIDE.

Also:

S. J. R. 11. EXTENDING A WARM WELCOME TO COACH RAY PERKINS AS HEAD FOOTBALL COACH FOR THE UNIVERSITY OF ALABAMA'S CRIMSON TIDE.

Also:

S. J. R. 12. MOURNING THE DEATH OF DR. ROBERT JOSEPH NICOLSI OF THE UNIVERSITY OF ALABAMA MUSIC FACULTY.

Also:

S. J. R. 14. CREATING A JOINT LEGISLATIVE COMMITTEE ON APPORTIONMENT ACCORDING TO THE 1980 UNITED STATES CENSUS AND TO PROVIDE FOR THE POWERS AND DUTIES OF SAID COMMITTEE.

Also:

S. J. R. 15. CONGRATULATING THE OXFORD HIGH SCHOOL YELLOW JACKETS ON AN OUTSTANDING FOOTBALL SEASON.

Also:

S. J. R. 16. COMMENDING MR. SAM DEJARNETTE OF SELMA, ALABAMA.

Also:

S. J. R. 18. COMMENDING THE HONORABLE HOBODY G. RAINS UPON HIS RETIREMENT AS CIRCUIT COURT JUDGE OF THE 16th JUDICIAL CIRCUIT, ETOWAH COUNTY.

Also:

S. J. R. 19. MOURNING THE DEATH OF REPRESENTATIVE WILLIAM DEARA EDWARDS OF FORT DEPOSIT, ALABAMA.

Also:

S. J. R. 20. COMMENDING MR. LAVON BRADLEY OF ESCAMBIA COUNTY, ALABAMA.

Also:

S. J. R. 21. NAMING THE "SPOIL" ISLAND IN MOBILE BAY, EAST OF THE MAIN SHIP CHANNEL AND NORTH OF THE DIAGO-

NAL THEODORE SHIP CHANNEL, THE "WILSON GAILLARD ISLAND."

Also:

S. J. R. 22. DESIGNATING THE WEEK OF JUNE 5, 1983 AS "ALABAMA" WEEK IN HONOR OF THE RENOWNED COUNTRY MUSIC GROUP, "ALABAMA."

CHARLES BISHOP,
Chairperson.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

IN MEMORIAM

BERRY DABNEY LYNCHMORE CANTRELL

1921 - 1982

MEMBER OF ALABAMA SENATE

1955 - 1959

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 6. Relative to adjournment until 11:00 A.M. on January 12, 1983, and meeting in joint convention in the House of Representatives at 11:30 A.M. for the purpose of witnessing the opening and publishing of the returns of the general election held on November 2, 1982.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Johnson, Roy:

H. J. R. 30. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when the two houses adjourn today, Tuesday, January 18, 1983, we adjourn sine die.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Teague, the Rules were suspended and the Resolution, H. J. R. 30, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Johnson (Roy):

H. J. R. 14. EXTENDING WARM CONGRATULATIONS TO DR. WILLIAM GROVER SHAMBLIN OF TUSCALOOSA, ALABAMA, UPON THE OCCASION OF HIS 90TH BIRTHDAY.

Also:

By Reps. Turnham, Adams, Albright, Ashley, Bennett, Biddle, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Brooks, Browder, Bryant, Buskey, Butler, Campbell, Carothers, Carter, Casey, Clark, Clikas, Coburn, Coleman, Cosby, Crow, Davis, Drake, Drinkard, Dutton,

Escott, Faulk, Flowers, Ford, Freeman, Gaston, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Horn, Howard, Johnson (Al), Johnson (RG), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Langford, Lauderdale, Layton, Lewis, McKee, McMillan, Manley, Martin, Mathis, Melton, Minus, Mitchell, Moore, Murphy, Nevett, Newman, Nicholson, Owens, Parker, Payne, Penry, Poole, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Scott, Seibels, Smith, Starkey, Starr, Stout, Thomas, Thornton, Trammell, Tucker, Turner, Venable, Waggoner, Warren, White (F), White (L), Williams, Wilson, Wright, Zoghby:

H. J. R. 15. MOURNING THE DEATH OF REPRESENTATIVE WILLIAM DEARA EDWARDS OF FORT DEPOSIT, ALABAMA.

Also:

By Reps. White (L) and Turnham:

H. J. R. 16. COMMENDING COACH BRYAN YATES OF TALLAPOOSA COUNTY'S NEW SITE HIGH SCHOOL.

Also:

By Reps. White (L) and Turnham:

H. J. R. 17. CONGRATULATING THE DADEVILLE HIGH SCHOOL TIGERS ON THEIR OUTSTANDING 1982 FOOTBALL SEASON.

Also:

By Rep. Wright:

H. J. R. 18. COMMENDING ALABAMA NATIVE, MR. CHARLES WILLIAM (BUTCH) MOORE, JR., OF THE MILWAUKEE BREWERS.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator deGraffenried, the Rules were suspended and the Resolution, H. J. R. 14, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

On motion of Senator Teague, the Rules were suspended and the Resolutions, H. J. R.'s 15 and 18, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

On motion of Senator Little, the Rules were suspended and the Resolutions, H. J. R.'s 16 and 17, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Turnham:

H. J. R. 31. COMMENDING MR. EDGAR LEON MCGRAW FOR MERITORIOUS SERVICE TO AUBURN UNIVERSITY.

Also:

By Rep. Penry:

H. J. R. 33. COMMENDING CHIEF WARRANT OFFICER FREDERICK W. ALMS ON HIS OUTSTANDING MILITARY CAREER.

Also:

By Reps. Lewis and Howard:

H. J. R. 35. MOURNING THE DEATH OF MAYOR EVERETT V. PARSONS OF JOHNS, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Little, the Rules were suspended and the Resolution, H. J. R. 31, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

On motion of Senator Teague, the Rules were suspended and the Resolutions, H. J. R.'s 33 and 35, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Johnson, Roy:

H. J. R. 5. CREATING A LEGISLATIVE PARKING COMMITTEE

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That there is hereby created a joint committee to work with the Chief of Services, Department of Finance, in assigning parking places to members of the Legislature. Said committee shall consist of three members of the House, to be appointed by the Speaker, and three members of the Senate, to be appointed by the Presiding Officer of the Senate.

And the Speaker has appointed Reps. Trammell, Goodwin and Blake.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Teague, the Rules were suspended and the Resolution, H. J. R. 5, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as members on part of the Senate Senators Bishop, Foshee, and Denton.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Penry and McMillan:

H. J. R. 29. COMMENDING MRS. O'BYRNE JONES WHITLEY OF BAY MINETTE, BALDWIN COUNTY, STATE OF ALABAMA, UPON HER RETIREMENT.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Teague, the Rules were suspended and the Resolution, H. J. R. 29, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Zoghby, Harper, Buskey, Box, Kennedy, Clark, Kvalheim, Gaston, Clikas, McMillan, Turner, Penry, Adams, Albright, Ashley, Bennett, Biddle, Blake, Blakeney, Boles, Bowling, Brakefield, Brooks, Browder, Bryant, Butler, Campbell, Carothers, Carter, Casey, Coburn, Coleman, Cosby, Crow, Davis, Drake, Drinkard, Dutton, Escott, Faulk, Flowers, Ford, Freeman, Goodwin, Grimsley, Grouby, Hall, Hammett, Harvey, Hettinger, Holley, Holmes, Horn, Howard, Johnson (Al), Johnson (RG), Johnson (Roy), Junkins, Laird, Langford, Lauderdale, Layton, Lewis, McKee, Manley, Martin, Mathis, Melton, Minus, Mitchell, Moore, Murphy, Nevett, Newman, Nicholson, Owens, Parker, Payne, Poole, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Scott, Seibels, Smith, Starkey, Starr, Stout, Thomas, Thornton, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, White (F), White (L), Williams, Wilson, and Wright:

H. J. R. 23. EXTENDING SYMPATHY OF THE LEGISLATURE TO THE FAMILY OF FORMER STATE REPRESENTATIVE GEORGE STEWART OF MOBILE.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Teague, the Rules were suspended and the Resolution, H. J. R. 23, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Grouby, Adams, Albright, Ashley, Bennett, Biddle, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Brooks, Browder, Bryant, Buskey, Butler, Campbell, Carothers, Carter, Casey, Clark, Clikas, Coburn, Coleman, Cosby, Crow, Davis, Drake, Drinkard, Dutton, Escott, Faulk, Flowers, Ford, Freeman, Gaston, Goodwin, Grimsley, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Horn,

Howard, Johnson (Al), Johnson (RG), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Langford, Lauderdale, Layton, Lewis, McKee, McMillan, Manley, Martin, Mathis, Melton, Minus, Mitchell, Moore, Murphy, Nevett, Newman, Nicholson, Owens, Parker, Payne, Penry, Poole, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Scott, Seibels, Smith, Starkey, Starr, Stout, Thomas, Thornton, Trammell, Tucker, Turner, Venable, Waggoner, Warren, White (F), White (L), Williams, Wilson, Wright, and Zoghby:

H. J. R. 19. HONORING REPRESENTATIVE PETE TURNHAM AS DEAN OF THE ALABAMA LEGISLATURE.

Also:

By Reps. Nicholson and Brakefield:

H. J. R. 20. CONGRATULATING MR. AND MRS. CHARLES ENZER TWEEDY, JR.

Also:

By Reps. Nicholson and Brakefield:

H. J. R. 21. CONGRATULATING MR. AND MRS. CARL BURTON.

Also:

By Reps. Hettinger, Freeman, Butler, Albright, and Brooks:

H. J. R. 24. CREATING THE MADISON COUNTY ELECTED OFFICIALS SALARY COMMISSION.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Little, the Rules were suspended and the Resolution, H. J. R. 19, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

On motion of Senator Teague, the Rules were suspended and the Resolutions, H. J. R.'s 20 and 21, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

On motion of Senator Smith (B), the Rules were suspended and the Resolution, H. J. R. 24, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 2. JOINT RULES OF THE LEGISLATURE.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Holley:

H. J. R. 26. CREATING AN INTERIM COMMITTEE ON FINANCES AND BUDGETS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created an Interim Committee on Finances and Budgets to meet during the interim between approval date of this resolution and the opening day of the 1983 regular session of the Legislature, during which period the members, including ex officio members and the chairman and vice-chairman shall each be entitled to, and shall receive, the same daily legislative compensation, expense allowances, per diem and other compensation which they receive while in legislative session, and in the same manner and under the same conditions as when they meet in legislative session. It shall be the duty of the committee to make a careful investigation and study of the financial condition of the state, hold budget hearings, inquire into ways and means of financing state government and its programs, and report its findings and recommendations as herein provided. The Committee shall be composed of the Senate Standing Committee on Finance and Taxation, the President Pro Tempore of the Senate, the Lieutenant Governor, and the members of the House Standing Committee on Ways and Means, the Speaker Pro Tempore of the House, the Speaker of the House and nine members of the House to be appointed by the Speaker of the House. The President and the President Pro Tempore of the Senate and the Speaker and the Speaker Pro Tempore of the House shall be Ex Officio voting members of the Committee.

The Chairman of the Senate Committee on Finance and Taxation shall be Chairman of said Committee and the Chairman of the Ways and Means Committee shall be Vice Chairman. The Chairman of Finance and Taxation and Chairman of Ways and Means shall set the schedule and program for committee work. The said Chairmen shall fix the days and hours of meeting and conducting hearings and examining witnesses who appear before the Committee. The said Chairmen may appoint subcommittees and invest them with such authority as may be deemed necessary to conduct the Committee's business and expedite its work. The Committee may employ such clerical and expert assistance as the Committee may find necessary in performing its duties.

BE IT FURTHER RESOLVED, That the final report of the Committee, along with findings and recommendations, shall be submitted to the Governor no later than the fifth legislative day of the regular session. Upon the submission of the final report, the Committee shall stand dissolved.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 26, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Johnson (Roy):

H. J. R. 13. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the acts and journals of this organizational session be bound with the regular session or any special sessions in 1983.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Teague, the Rules were suspended and the Resolution, H. J. R. 13, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Johnson, (Roy):

H. J. R. 9. EXPRESSING THE LEGISLATURE'S INTENT THAT THE RETIREMENT SYSTEMS OF ALABAMA BE CONSIDERED PUBLIC CORPORATIONS.

WHEREAS, The Supreme Court of Alabama on September 17, 1982, ruled that the Retirement Systems of Alabama were not public corporations, and

WHEREAS, in issuing its ruling the Court attempted to determine legislative intent and based its ruling upon legislative intent, and

WHEREAS, the Court ruling has raised serious questions regarding the legality of the Retirement Systems' approximately \$3 billion in investments in light of the prohibitions contained in Section 93 of the Constitution of Alabama of 1901, against the state investing in corporate securities, and

WHEREAS, the Legislature intended to create, and has always considered, the Retirement Systems to be public corporations, with all the rights, duties, powers, and privileges of public corporations and in fact expressly stated in the creating legislation that the Retirement Systems "shall have the powers and privileges of a corporation," and

WHEREAS, the Retirement Systems has requested that the Supreme Court reconsider its opinion and to find the Retirement Systems to be public corporations, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA BOTH HOUSES THEREOF CONCURRING, That the Legislature hereby restates its belief that the Retirement Systems of Alabama were created as public corporations with all rights, powers, duties, and privileges thereof and expresses its intent that the Retirement Systems be considered public corporations with all the powers and privileges of a corporation, and

BE IT FURTHER RESOLVED, That the Retirement Systems of Alabama be provided a copy of this resolution.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Teague, the Rules were suspended and the Resolution, H. J. R. 9, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Hettinger, Freeman, Albright, Richardson, Brooks, Hall, and Butler:

H. J. R. 25. CREATING INTERIM COMMISSIONS TO ASSESS THE STATE'S EDUCATIONAL NEEDS IN THE AREA OF HIGH TECHNOLOGY.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created an interim commission to conduct a comprehensive assessment of the human and capital resource needs of all the colleges and universities which offer baccalaureate or graduate programs in the field of engineering. The commission shall be composed of a representative from each of the following institutions of higher learning: The University of Alabama, the University of Alabama in Birmingham, the University of Alabama in Huntsville, the University of South Alabama, Auburn University, and Tuskegee Institute. Each institutional representative shall be appointed by the respective university president and shall serve at his discretion and without compensation. The six-member commission shall issue a written report to the Governor and legislature not later than 180 days following the effective date of this act. Upon the issuance of said report, the commission shall terminate.

BE IT FURTHER RESOLVED, That, additionally, there is hereby created an interim commission to conduct a comprehensive assessment of the human and capital resource needs of the state junior, community and technical colleges with specific emphasis on training of technical support personnel for high technology programs. This assessment shall be conducted by a six-member commission who shall serve without compensation and shall be appointed by the Chancellor of the state's junior, community, and technical colleges. The six-member commission shall issue a written report to the Governor and legislature not later than 180 days following the effective date of this act. Upon the issuance of said report, the commission shall terminate.

RESOLVED FURTHER, That, in addition, there is hereby created an interim commission to conduct a comprehensive assessment of the human and capital resource needs of the state's elementary and secondary schools in the fields of science and mathematics. This assessment shall include: (1) specific recommendations regarding the appropriate number of science and math teachers, (2) measures to encourage current math and science teachers to pursue post-baccalaureate studies in the fields of science and mathematics and (3) programs to promote the overall quality of instruction in the fields of science and mathematics. This assessment shall be conducted by a

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six-member commission who shall serve without compensation and shall be appointed by the state superintendent of education. The commission shall issue a written report to the Governor and legislature not later than 180 days following the effective date of this act. Upon the issuance of said report, the commission shall terminate.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 25, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 28. EXPRESSING THE LEGISLATURE'S INTENT THAT THE RETIREMENT SYSTEMS OF ALABAMA BE CONSIDERED PUBLIC CORPORATIONS.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE GOVERNOR

STATE OF ALABAMA
GOVERNOR'S OFFICE
MONTGOMERY 36130
JANUARY 18, 1983

GEORGE C. WALLACE
GOVERNOR

The Honorable William Baxley
Lieutenant Governor
State of Alabama
State Capitol
Montgomery, Alabama 36130

Dear Governor Baxley:

Attached hereto are the prepared remarks from Governor George C. Wallace to the Alabama Senate.

Sincerely,
ELVIN STANTON,
Executive Secretary.

GOVERNOR GEORGE C. WALLACE

MESSAGE TO THE ALABAMA SENATE

ORGANIZATIONAL SESSION - JANUARY 18, 1983

Governor Baxley.

Lady and Gentlemen of the Alabama Senate.

Attached hereto is the Interim Report, Transition Group on the State's financial condition. I am presenting this report to you as my message in this

organizational session.

The study and work toward this report was accomplished at my direction by an outstanding group of knowledgeable young Alabamians:

Thomas Ashley Harris

Joe Espy, III

Daniel Chambliss

Frank M. Wilson

Clinton C. Berry

Jerry Ingram

As you will see from the report, we have much work ahead for us.

January 13, 1982

Honorable George C. Wallace
Governor-elect
Transition Office
Montgomery, Alabama

Dear Governor:

We are pleased to present the interim report of the transition team. A more complete report with information for each department head will be provided at the time you assume office.

Each of us is honored to have served as a member of your transition team and wish you a successful administration as Governor of Alabama.

Thomas Ashley Harris
Joe Espy III
Daniel Chambliss
Frank M. Wilson
Clinton C. Berry
Jerry Ingram

**INTERIM REPORT
TRANSITION GROUP
STATE FINANCIAL CONDITION
JANUARY 1983**

As the time of your assumption of office as Governor draws nearer your Transition Group deems it advisable to present you with an interim report focusing on the fiscal condition of the State and its agencies as of this date. This will consist of a general statement of condition as to the General Fund and the Alabama Special Educational Trust Fund with specific reference to certain fiscal techniques and procedures which have contributed to the conditions existing. Comment is also made as to certain other fiscal danger points you may well encounter in the months ahead.

The facts and conclusions expressed in this report have been developed from extensive consultation with and review of documents made available by both appointed and career officers and employees of the State's fiscal agencies and are true and correct to the best of our knowledge and belief.

These figures, reports and other data show an alarming financial situation. The circumstances demand your early and urgent attention to the

financial condition of the State and it is imperative that you take prompt emergency remedial action to prevent a collapse of the State's financial structure. This is going to require the full cooperation of all agencies of government and a strict adherence to rigid austerity for the foreseeable future.

Our full report will outline all of this in greater detail but the current situation indicates a crisis situation presently existing, some relaxation in the Spring as revenue increases and possibly an even deeper crisis as fiscal 1983-84 commences October 1, 1983.

Much of this derives from economic recession coupled with severe reduction in revenues. But this has all been further compounded by reckless, bizarre and unauthorized fiscal procedures which have had little regard for the overall stability of the State's financial structure such as the inappropriate, ill advised and perhaps illegal release of certain large conditional appropriations while the State funds were approaching or were perhaps already in a prorated condition. This only served to magnify the deficit for the current fiscal period. It has been essentially a "live today with no thought for tomorrow" approach which accounts for many of the problems now existing.

GENERAL FUND SITUATION AS OF MID-JANUARY

As you know, a 15% proration of the General Fund was declared by Governor James in late September of 1982 for the fiscal year commencing October 1, 1982. This meant that agencies would be funded at 85% of their annual appropriation for the fiscal year commencing that date, or until a change in the Declaration of Proration.

However, during the first four months of the current fiscal year, October-January, due to a deficit cash flow, funding of General Fund agencies has been at approximately 65% rather than 85% of annual budget resulting in an approximate \$25 million deficit in appropriation at this time. If revenue allows a funding at an 85% level for the entire fiscal year ending September 30, 1983 this means that the departments and agencies will receive a substantially larger appropriation for the remaining two thirds of the year than for the past four months. If not, an even larger deficit and resulting proration comes about.

It is possible that the 85% funding level can be attained if \$25 million can be recovered from other sources, such as the oil and gas tax revenue now being held in escrow, or from other sources. Failure to recover this \$25 million could result in even deeper proration for the fiscal period 1982-83 at an estimated additional 5-7% increase in proration.

If the \$25 million is recovered and the insurance premium taxes due in March hold firm there is a possibility of a reduction in proration, but this will not be known until mid year.

The above only discusses the normal operations of the General Fund and does not take into account extraordinary obligations such as money due FEMA for Hurricane Frederick rehabilitation—a Revenue Sharing Payback of \$116 million or more, and the like. The above also assumes interest on State deposits collected by the State Treasurer will remain at the current level of 7.5 - 8.0%. This is a function of the market as you know and cannot be precisely determined. With falling interest rates an even larger deficit could come about.

In summary, after removing distortions in accounting, General Fund receipts for October - January are down approximately 10% from level funding while the Legislative appropriation from the General Fund for fiscal

year 1982-83 was increased by approximately 10% thus accounting for the shortfall and the necessity of proration. Monitor this situation very closely.

The Alabama Special Education Trust Fund is not in as serious a condition. Proration of this fund was declared at 10% in late September for the current fiscal year. The fund is actually operating at approximately a 7% reduction and revenues remain reasonably stable. If the economy were to move upward there is a possibility of a reduction in the rate of proration. The unknown factors are (1) the amount of income tax refunds to become due this Spring and (2) will Sales and Income Taxes, which currently are at least level or in excess of receipts for the prior year, remain stable. If these conditions were to continue to co-exist there is a possibility of a reduction in the rate of proration. This, also is to be monitored closely.

SPECIAL ITEMS

Medicaid. Some unanswered questions exist here. Medicaid was considered to be included in the 15% proration declared for the General Fund. However, it appears highly doubtful that the agency is spending at a prorated level. Apparently they are spending as if they were non-prorated. This could be increasing the fiscal burden for the last half of the current fiscal year.

General Fund appropriations to this agency are approximately \$90 million for the current year. A 15% proration would result in a reduction of \$13.8 million in this appropriation, however, the agency has already received a \$8.6 million transfer from the State Insurance Fund and perhaps some money from other sources. So the deficit is not as large as it would appear.

Upon assuming office ascertain immediately:

1. The portion of the appropriation already expended

2. Obligations outstanding or deferred

3. Rate of percent of expenditures as compared with appropriation.

With these inputs you should be readily able to determine the status of this agency but it must be monitored closely to prevent an overrun of expenditures.

Interest on State Deposits Collected by the State Treasury.

This has developed into the largest producer of revenue for the General Fund. However, due to the decline in interest rates this interest revenue is declining proportionately.

This money is currently invested at 7.75% while a year ago the rate was 14% and has actually risen to the level of 16% on other occasions. The Treasurer currently estimates receipts of \$35 million from this source for the current fiscal year compared with \$52 million for the previous year. Unfortunately, the budget makers estimated income of \$64 million from this source for the current year which accounts for a severe revenue discrepancy. Also, the early call of interest to prevent a deficit at the close of fiscal year 1982 reduced receipts for 1983 by \$7 million. All of this reacts to the detriment of the General Fund for the current fiscal year.

State Insurance Fund. Under authority of a questionable Legislative act this fund has been reduced by \$18.6 million since 1980. Most of this went to the Medicaid Agency. There is now litigation questioning these transfers and although repayment is due the likelihood for any being made

is highly questionable.

This tampering with trust money should be discontinued and this fund allowed to reach and maintain a solvent status to be available for the purposes intended.

Unemployment Compensation Trust Fund. This fund does not relate to the General Fund but is a State responsibility. Recent statements by the authorities administering the fund indicate it is bankrupt at this time and that a loan is being obtained from the Federal Trust Fund in the amount of \$82 million to continue unemployment benefit payments for the next few months. If projections are accurate this debt will increase by at least \$10 million during this fiscal year making the total indebtedness slightly less than \$100 million. This may be a conservative figure as tax contributions supporting the fund are running far behind prior year collections due to the high rate of unemployment. This would result in \$8-9 million in interest payment from State monies. All involved admit there is no chance for repayment under current conditions so a very substantial tax increase appears in order if the Fund is to survive. There is currently discussion of innovative financing by major investment houses and banks to improve this situation. This should be followed closely.

FEMA—Federal Emergency Assistance—Hurricane Frederick. Apparently there is a remaining balance of approximately \$3.6 million due to be repaid the Federal Government as a result of funds advanced during the aftermath of Hurricane Frederick.

We understand that \$1 million has already been repaid and the \$3.6 million is the remaining balance due from the General Fund which is now past due. A conditional appropriation was enacted but no funds were made available. This debt still exists and must be recognized and handled in some way.

Oil and Gas Tax Revenue Paid Under Protest. This is a "production privilege" or severance tax which up to the present has produced some \$36.8 million in revenue. Of this, approximately \$30 million has been paid under protest while \$6.8 million has not but has been held because of pending litigation under a prior agreement.

There are several possibilities. (1) If this money is improperly released and later required to be refunded the State suffers loss of money as well as loss of interest which is currently being drawn. (2) If held in escrow interest will be earned and the money will be available if a refund is required. (3) Lastly, and most important, if this litigation is dismissed the State would receive approximately \$18.4 million at this time for the General Fund, which is projected to grow to approximately \$25 million by years end. This is substantially the difference needed to relieve the present situation in the General Fund. This probably should continue to be explored.

Recent Transfer of \$2.5 Million from Pensions and Security to Other General Fund Agencies. The fiscal hazard here is that the Pensions and Security Department may have to be given a supplemental appropriation before years end to compensate for this loss. This would be a General Fund appropriation not presently anticipated. This would be true irrespective of the use currently made of this money.

\$520 Million Bond Issue Based on Oil and Gas Windfall Receipts. There were many abnormalities in this transaction. For one thing - the designated projects exceed available revenues by \$100-150 million. This must either be prorated or adjusted, possibly by Legislative action.

This deficiency came about due to some very serious miscalculations on the part of those involved as to the time and rate of return on the investment plus market deterioration and the imposition of a severe arbitrage penalty by the Internal Revenue Service for failure to comply with arbitrage requirements. This resulted in a \$50 million penalty for six years with a no-interest return. When you calculate the interest at then current rates that would have been realized should investment been made at that time this would account for another \$42 million loss which means this total penalty was in the approximate figure of \$92 million.

The balance between the income from the Heritage Trust Fund and the debt service requirements on the General Fund for this issue is presently in balance but a very precarious balance which could easily shift to a negative position due to the type and nature of the investments. Should this happen the General Fund must bear the difference in costs.

This whole operation is fraught with danger and refunding must be considered at the proper time, under the proper conditions and with sufficient knowledgeable preparation. For the short term—debt service will amount to approximately \$67 million per year for the next two years and is an obligation of the General Fund.

Revenue Sharing Payback. In 1980 Governor James entered into an agreement with the Office of Revenue Sharing to refund approximately \$116 million to the Revenue Sharing Trust Fund of the State of Alabama due to certain non-compliances with the procedures of the Revenue Sharing Act.

Later a bill authorizing a conditional appropriation in this amount was introduced—died in committee and nothing happened. This may be a dead issue but the obligation still exists and is growing constantly due to interest charges. Somehow the books should be cleared as this is technically a charge against the General Fund of the State.

In summary, a \$25 million deficit currently exists. Payment for other State obligations must be deferred to enable the salary payment of employees on January 21st. This crisis situation will exist for approximately 60 days—hopefully improve at that time and will likely reappear later in the fiscal year and at the commencement of fiscal year 1983-84 due to the fact that there is little or no accumulation of revenues while the State is in a deeply prorated situation.

All of this demands close monitoring, perhaps daily—total austerity and good common sense judgment as to the creation of any further obligations against the State.

The special items listed should be closely reviewed as they will continue to exist and must be dealt with in a responsible manner if the financial image of the State is to be preserved.

Refunding of the 520 million bond issue should be closely examined and seriously considered for at least, the debt service can be “spread” in a manner better suited to the State’s situation and needs.

If the refunding is carried out it should be done in a highly professional manner, at the proper time and only after thorough preparation and coordination with the Internal Revenue Service—rating agencies and the market itself. If not the fiscal imagery of Alabama will be further damaged with possible reduction in the credit rating of the State, a danger which we must not risk.

GOVERNOR'S MESSAGE

The foregoing report from his Excellency, the Governor, was read and ordered spread upon the Journal.

RESOLUTION

Senators Parsons, Cooley, Aldridge, Bailey, Goodwin, Bishop, Little, Bachus, Proctor, Hilliard, Cabaniss, Boyington, and Bedford offered the following Senate Joint Resolution, to-wit:

S. J. R. 29. MEMORIALIZING THE UNITED STATES CONGRESS TO IMPLEMENT A PLAN OF RESTRUCTURING FEDERALLY INSURED MORTGAGES.

WHEREAS, The Alabama Legislature notes the massive level of unemployment that exists within the boundaries of our State; and

WHEREAS, Due to the massive unemployment, which is second highest in the nation, many individuals are finding it increasingly difficult to make ends meet, including making payments on existing mortgages; and

WHEREAS, The growing number of foreclosures on individual mortgages has reached the crisis stage; now therefore,

BE IT RESOLVED BY THE ALABAMA LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That we urgently request the U. S. Congress adopt and implement a plan whereby existing individual mortgages that are insured by the V. A., F.H.A., Farmer's Home Administration, or like federal agency, be restructured and refinanced to prevent further impending foreclosures.

BE IT FURTHER RESOLVED, That the Secretary of the Senate is directed to inform each of our state's U. S. Congressmen and Senators, by copy of this resolution, of the Legislature's sentiments concerning this crucial situation.

On motion of Senator Parsons, the Rules were suspended and the Resolution was adopted by the Senate.

RECESS

At 1:35 P.M., on motion of Senator Kirkland, the Senate took a recess, to return upon the call of the Chair, which motion was adopted.

At 4:25 P.M., on the call of the Chair, the Senate returned to the Chamber. The Senate was called to order by Lieutenant Governor Baxley. A quorum of the Senate was present.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 29. MEMORIALIZING THE UNITED STATES CONGRESS TO IMPLEMENT A PLAN OF RESTRUCTURING FEDERALLY INSURED MORTGAGES.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown, and as amended has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 9. CREATING A JOINT INTERIM COMMITTEE OF THE LEGISLATURE ON STATE CONSTITUTIONAL REVISION.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator deGraffenried, the Senate concurred in and adopted the following House amendment to the Resolution, S. J. R. 9, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. J. R. 9

Amend Senate Joint Resolution 9, page 1, beginning on line 21, after the comma, by striking ~~who shall be the chairman and the Senate members of the Standing Committee on Constitutional Revision,~~

And on motion of Senator deGraffenried, the Resolution, S. J. R. 9, as amended, was then adopted by the Senate.

APPOINTMENT OF STANDING COMMITTEES

The President and Presiding Officer of the Senate announced the following Standing Committees of the Senate for the quadrennium, 1983 - 1986, to-wit:

FINANCE AND TAXATION COMMITTEE

Mitchem, Chairperson; Little, Deputy Chairperson

EDUCATION SUBCOMMITTEE

deGraffenried, Vice Chairperson; Members: Foshee, Proctor, Hilliard, Aldridge, Holmes, Smith (J), Cooley, Bailey, Harrison, Figures.

GENERAL FUND SUBCOMMITTEE

Goodwin, Vice Chairperson; Members: Mitchell, Amari, Denton, Pearson, Corbett, Smith (B), Robertson, Barron, Bedford, Bedsole.

RULES COMMITTEE

Bishop, Chairperson; Smith (J), Vice Chairperson; Members: Parsons, Mitchell, Aldridge, Denton, Pearson.

JUDICIARY COMMITTEE

Hilliard, Chairperson; Kirkland, Vice Chairperson; Members: Proctor, Menton, Smith (J), Cooley, deGraffenried, Harrison, Aldridge, Keener, Bedford, Amari, Bachus, Parsons, Little.

GOVERNMENTAL AFFAIRS COMMITTEE

Mitchell, Chairperson; Dixon, Vice Chairperson; Members: Boyington, Bailey, Bachus, Parsons, Goodwin, Pearson, Figures, Corbett, Proctor, Cooley, Robertson, Aldridge, Covington.

CONSTITUTIONAL REVISION COMMITTEE

deGraffenried, Chairperson; Keener, Vice Chairperson; Members: Figures, Proctor, Aldridge, Smith (B), Smith (J).

**AGRICULTURE, CONSERVATION, AND FORESTRY
COMMITTEE**

Bailey, Chairperson; Menton, Vice Chairperson; Members: Boyington, Goodwin, Little, Figures, Smith (J), Mitchem, Robertson, Harrison, Aldridge, Kirkland, Denton, Bedford, Covington.

BUSINESS AND LABOR RELATIONS COMMITTEE

Keener, Chairperson; Corbett, Vice Chairperson; Members: Parsons, Amari, Figures, Cooley, Robertson, Bedford, Foshee.

EDUCATION COMMITTEE

Parsons, Chairperson; Bedsole, Vice Chairperson; Members: Bailey, Foshee, Hilliard, Corbett, Cooley, Harrison, Bachus.

HEALTH AND WELFARE COMMITTEE

Proctor, Chairperson; Barron, Vice Chairperson; Members: Smith (J), Holmes, Dixon, Keener, Covington, Bailey, Foshee.

BANKING AND INSURANCE COMMITTEE

Smith (J), Chairperson; Cabaniss, Vice Chairperson; Members: Amari, Bachus, Foshee, Little, Mitchell, Hilliard, Smith (B), Mitchem, deGraffenried, Harrison, Barron, Keener, Denton.

**COMMERCE, TRANSPORTATION, AND UTILITIES
COMMITTEE**

Denton, Chairperson; Hilliard, Vice Chairperson; Members: Smith (B), Bishop, Amari, Holmes, Keener, Cabaniss, Foshee.

CONSUMER AFFAIRS COMMITTEE

Figures, Chairperson; Harrison, Vice Chairperson; Members: Bachus, Parsons, Corbett, Smith (J), Kirkland.

BUILDINGS AND GROUNDS COMMITTEE

Foshee, Chairperson; Covington, Vice Chairperson; Member: Bishop.

**INDUSTRIAL EXPANSION, ECONOMIC GROWTH, AND JOBS
COMMITTEE**

Smith (B), Chairperson; Cooley, Vice Chairperson; Members: Smith (J), Dixon, Covington, Cabaniss, Figures, Bailey, Bishop.

COMMITTEE ON AGING

Amari, Chairperson; Menton, Vice Chairperson; Members: Holmes, Robertson, Barron, Boyington, Bailey, Goodwin, Corbett.

STUDENT AND YOUTH ACTIVITIES COMMITTEE

Bedford, Chairperson; Bachus, Vice Chairperson; Members: Dixon, Little, Menton, Bedsole, Boyington.

SMALL BUSINESS COMMITTEE

Holmes, Chairperson; Dixon, Vice Chairperson; Members: Boyington, Cabaniss, Goodwin, Amari, Bedford.

MILITARY AFFAIRS COMMITTEE

Robertson, Chairperson; Boyington, Vice Chairperson; Members: Holmes, Barron, Covington, Menton, Bedsole.

LOCAL LEGISLATION NO. 1 COMMITTEE

Foshee, Chairperson; Kirkland, Vice Chairperson; Members: Mitchem, Aldridge, Covington, Mitchell, Bishop.

LOCAL LEGISLATION NO. 2 COMMITTEE

Pearson, Chairperson; Parsons, Vice Chairperson; Members: Amari, Bishop, Proctor, Hilliard, Cabaniss, Bachus.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 28. EXPRESSING THE LEGISLATURE'S INTENT THAT THE RETIREMENT SYSTEMS OF ALABAMA BE CONSIDERED PUBLIC CORPORATIONS.

CHARLES BISHOP,
Chairperson

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution, the title of which is set out in the foregoing report from the Committee on Rules.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 29. MEMORIALIZING THE UNITED STATES CONGRESS TO IMPLEMENT A PLAN OF RESTRUCTURING FEDERALLY INSURED MORTGAGES.

CHARLES BISHOP,
Chairperson.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the

reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution, the title of which is set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 5. Relative to creating a Legislative Parking Committee.

Also:

H. J. R. 9. EXPRESSING THE LEGISLATURE'S INTENT THAT THE RETIREMENT SYSTEMS OF ALABAMA BE CONSIDERED PUBLIC CORPORATIONS.

Also:

H. J. R. 13. Relative to the acts and journals of the Organizational Session be bound with the regular session or any special sessions in 1983.

Also:

H. J. R. 14. EXTENDING WARM CONGRATULATIONS TO DR. WILLIAM GROVER SHAMBLIN OF TUSCALOOSA, ALABAMA, UPON THE OCCASION OF HIS 90TH BIRTHDAY.

Also:

H. J. R. 15. MOURNING THE DEATH OF REPRESENTATIVE WILLIAM DEARA EDWARDS OF FORT DEPOSIT, ALABAMA.

Also:

H. J. R. 16. COMMENDING COACH BRYAN YATES OF TALLAPOOSA COUNTY'S NEW SITE HIGH SCHOOL.

Also:

H. J. R. 17. CONGRATULATING THE DADEVILLE HIGH SCHOOL TIGERS ON THEIR OUTSTANDING 1982 FOOTBALL SEASON.

Also:

H. J. R. 18. COMMENDING ALABAMA NATIVE, MR. CHARLES WILLIAM (BUTCH) MOORE, JR., OF THE MILWAUKEE BREWERS.

Also:

H. J. R. 19. HONORING REPRESENTATIVE PETE TURNHAM AS DEAN OF THE ALABAMA LEGISLATURE.

Also:

H. J. R. 20. CONGRATULATING MR. AND MRS. CHARLES ENZER TWEEDY, JR.

Also:

H. J. R. 21. CONGRATULATING MR. AND MRS. CARL BURTON.

Also:

H. J. R. 23. EXTENDING SYMPATHY OF THE LEGISLATURE TO THE FAMILY OF FORMER STATE REPRESENTATIVE GEORGE STEWART OF MOBILE.

Also:

H. J. R. 24. CREATING THE MADISON COUNTY ELECTED OFFICIALS SALARY COMMISSION.

Also:

H. J. R. 29. COMMENDING MRS. O'BYRNE JONES WHITLEY OF BAY MINETTE, BALDWIN COUNTY, STATE OF ALABAMA, UPON HER RETIREMENT.

Also:

H. J. R. 30. Relative to sine die adjournment.

Also:

H. J. R. 31. COMMENDING MR. EDGAR LEON MCGRAW FOR MERITORIOUS SERVICE TO AUBURN UNIVERSITY.

Also:

H. J. R. 33. COMMENDING CHIEF WARRANT OFFICER FREDERICK W. ALMS ON HIS OUTSTANDING MILITARY CAREER.

Also:

H. J. R. 35. MOURNING THE DEATH OF MAYOR EVERETT V. PARSONS OF JOHNS, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 9. CREATING A JOINT INTERIM COMMITTEE OF THE LEGISLATURE ON STATE CONSTITUTIONAL REVISION.

CHARLES BISHOP,
Chairperson.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the

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reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution, the title of which is set out in the foregoing report from the Committee on Rules.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

S. J. R. 4

S. J. R. 5

S. J. R. 6

S. J. R. 7

S. J. R. 8

S. J. R. 10

S. J. R. 11

S. J. R. 12

S. J. R. 14

S. J. R. 15

S. J. R. 16

S. J. R. 18

S. J. R. 19

S. J. R. 20

S. J. R. 21

S. J. R. 22

Delivered to the Governor, January 18, 1983, at 2:45 P.M.

S. J. R. 28

S. J. R. 29

S. J. R. 9

Delivered to the Governor, January 18, 1983, at 5 o'clock P.M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

**REPORT OF COMMITTEE ON RULES ON REVISION OF THE
JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journals of the Senate for the Second and Eighth Days and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,
Chairperson.

COMMITTEE REPORT

On motion of Senator Bishop, the foregoing report was concurred in and the Journals of the Senate for the Second and Eighth Days were approved by the Senate.

ADJOURNMENT

At 4:40 P.M., on motion of Senator Teague, in accordance with Joint Resolution heretofore adopted, the Senate adjourned sine die.

/s/ McDOWELL LEE,
Secretary of Senate.

**LEGISLATIVE DAYS
ORGANIZATIONAL SESSION 1983**

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FIRST DAY—Tuesday, January 11	3
SECOND DAY—Wednesday, January 12	39
(The Senate was not in session on the Third, Fourth, Fifth, Sixth, and Seventh Days.)	
EIGHTH DAY—Tuesday, January 18	43

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RESOLUTIONS****CONDOLENCES**

Cantrell, former senator Berry Lynchmore, death mourned
SJR 5, pages 24, 41, 43, 67, Act no. 83-24

Edwards, representative William Deara, death mourned
SJR 19, pages 35, 42, 44, 67, Act no. 83-35
HJR 15, pages 47, 65, Act no. 83-9

Nicolosi, dr. Robert Joseph, death mourned
SJR 12, pages 29, 41, 44, 67, Act no. 83-30

Parsons, mayor Everett V., of Johns, death mourned
HJR 35, pages 49, 66, Act no. 83-22

Stewart, former representative George, death mourned
HJR 23, pages 50, 66, Act no. 83-16

CONGRATULATORY

Alms, chief warrant officer Frederick W., commended on military career
HJR 33, pages 49, 66, Act no. 83-21

Bedsale, senator Ann, on election as first woman senator
SJR 6, pages 25, 41, 43, 67, Act no. 83-25

Bradley, hon. Labon, of Escambia county, commended
SJR 20, pages 36, 42, 44, 67, Act no. 83-36

Bryant, coach Paul William, commended on retirement
SJR 10, pages 27, 41, 44, 67, Act no. 83-28

Burton, mr. and mrs., on golden anniversary
HJR 21, pages 51, 65, Act no. 83-15

Dadeville high school tigers on 1982 football season
HJR 17, pages 48, 65, Act no. 83-11

DeJarnette, mr. Sam, commended
SJR 16, pages 33, 41, 44, 67, Act no. 83-33
Fox, honorary senator Al, commended on retirement
SJR 7, pages 25, 41, 44, 67, Act no. 83-26

Frese, hon. Robert B. "Bob", Monroeville man of the year, commended
SR 25, page 38

Land, mrs. Sally, commended
SR 27, page 38

Latham, hon. Johnson, Monroeville businessman, commended
SR 23, page 38

Lee, miss Alice, Monroeville attorney, commended
SR 24, page 38

McGraw, hon. Edgar Leon, commended for meritorious service to Auburn university
HJR 31, pages 48, 66, Act no. 83-20

Moore, hon. Charles Williams (Butch), of Milwaukee brewers, commended

HJR 18, pages 48, 65, Act no. 83-12

Oxford high school yellow jackets football team commended

SJR 15, pages 32, 41, 44, 67, Act no. 83-32

Perkins, coach Ray, welcoming as head coach at the university of Alabama

SJR 11, pages 28, 41, 44, 67, Act no. 83-29

Raines, hon. Baxley, on FFA farmer award

SJR 8, pages 26, 41, 44, 67, Act no. 83-27

Rains, judge Hobdy G., commended on retirement as circuit judge

SJR 18, pages 34, 42, 44, 67, Act no. 83-34

Saucer, mr. Willie, and Saucer, mr. Wesley, Monroe county farmers of the year, commended

SR 26, page 38

Shamblin, dr. William Grover, congratulated on 90th birthday

HJR 14, pages 47, 65, Act no. 83-8

Turnham, representative Pete, commended as dean of the legislature

HJR 19, pages 51, 65, Act no. 83-13

Tweedy, mr. and mrs. Charles Enzer, commended on golden wedding anniversary

HJR 20, pages 51, 65, Act no. 83-14

Whitley, mrs. O'byrne Jones, commended on retirement

HJR 29, pages 50, 66, Act no. 83-18

Yates, coach Bryan, of Tallapoosa county's New Site high school

HJR 16, pages 48, 65, Act no. 83-10

DESIGNATIONS

"Alabama week", beginning June 5, to honor country music group

SJR 22, pages 37, 42, 45, 67, Act no. 83-38

"Spoil" island in Mobile bay designated as the "Wilson Gaillard island"

SJR 21, pages 36, 42, 44, 67, Act no. 83-37

Student activity building at Auburn university designated as the

"Claude V. Saia student activity building"

SJR 17, page 34

LEGISLATIVE

Adjournment

HJR 6, pages 32, 47, Act no. 83-1

Adjournment, sine die

HJR 30, pages 47, 66, Act no. 83-19

Governor, committee appointed to notify of session

SJR 3, pages 23, 41

Interim committee on finances and budgets created

HJR 26, page 52

Joint committee created on industrial expansion, economic growth, and jobs

SJR 13, page 30

Joint committee created to study state constitutional revision
SJR 9, pages 27, 62, 66, 67, Act no. 83-2

Joint committee on apportionment created
SJR 14, pages 30, 40, 44, 67, Act no. 83-31

Legislative parking committee created
SJR 4, pages 24, 41, 43, 67, Act no. 83-23
HJR 5, pages 49, 65, Act no. 83-5

Printing and binding of acts and journals
HJR 13, pages 53, 65, Act no. 83-7

Rules, joint, adopted
SJR 2, pages 19, 51

Rules, senate, adopted
SR 1, page 6

MISCELLANEOUS

Congress memorialized to implement a plan of restructuring federally insured mortgages
SJR 29, pages 61, 61, 64, 67, Act no. 83-4

Interim commissions to assess the state's educational needs in the area of high technology created
HJR 25, page 54

Legislative intent regarding the state retirement systems as public corporations
SJR 28, pages 40, 55, 64, 67, Act no. 83-3
HJR 9, pages 53, 65, Act no. 83-6

Madison county elected officials salary commission created
HJR 24, pages 51, 66, Act no. 83-17

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JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
FIRST
EXTRAORDINARY
SESSION OF 1983

HELD IN THE CITY OF MONTGOMERY, ALABAMA
COMMENCING TUESDAY, JANUARY 25, 1983



WITH AN INDEX PREPARED BY THE
SECRETARY OF THE SENATE

CONTENT

To facilitate research in the Senate Journal, the following information is included at the end for your convenience:

1. Legislative roster, listing names and addresses of all members of the current Legislature by district;
2. A listing of legislative days, with calendar dates and pages on which each day begins;
3. A topic index of general bills listed alphabetically by subject matter;
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JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
FIRST EXTRAORDINARY SESSION
OF 1983

FIRST LEGISLATIVE DAY
TUESDAY, JANUARY 25, 1983

BE IT REMEMBERED, that on the 25th day of January, A.D., 1983, George Wallace, Governor of the State of Alabama, issued his proclamation in words and figures as follows, to-wit:

STATE OF ALABAMA
PROCLAMATION
BY THE GOVERNOR

WHEREAS, there exists an extraordinary occasion in the State of Alabama which demands the convening of the Legislature of Alabama in extraordinary session as prescribed by Article V, Section 122 of the Constitution of Alabama 1901:

NOW, THEREFORE, I, George C. Wallace as Governor of the State of Alabama, do hereby proclaim and direct that the Legislature of the State of Alabama convene in extraordinary session at the Seat of Government at the State Capitol in Montgomery, Alabama, at 6:00 p.m. on Tuesday, January 25, 1983, and I do hereby designate the following subjects and matters, which I as Governor deem necessary to be considered and acted upon by said Legislature in extraordinary session assembled:

1. Legislation to modify and amend the Code of Alabama § 40-20-2 and/or related statutes and in particular those portions relating to: (1) Tax pass-through provisions (2) Royalty owners tax exemption (3) Applicability of said tax on a statewide basis, and any other portions of said laws where deemed appropriate.

2. Legislation to provide for the operation of the prison system of the State of Alabama through a Commissioner of the Department of Corrections, to be appointed by the Governor.

3. Legislation to amend and/or repeal certain sections of the *Code of Alabama*, § 36-17-(1-10), so as to reduce the period of time required, for the State of Alabama to make payments on bonded indebtednesses.

4. Legislation to amend the *Code of Alabama*, § 41-14-34, so as to require monthly payments of interest on State deposits, as opposed to quarterly payments.

5. Legislation to provide a supplemental appropriation of income from the Alabama Heritage Trust Income Fund, directly to the Medical Services

Administration (Medicaid).

6. Legislation to provide for semi-monthly submittal of tax collectors reports throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand as Governor of the State of Alabama and caused this proclamation to be attested by the Secretary of State, at the capitol, in the City of Montgomery, on this 25th day of January, 1983.

GEORGE C. WALLACE,
Governor.

ATTEST:

DON SIEGELMAN,
Secretary of State.

Pursuant to such proclamation, at the hour of 6 o'clock P.M. on Tuesday, January 25, 1983, the Senators in the Legislature of Alabama assembled in the Senate Chamber.

The Senate was called to order by the Honorable Bill Baxley, Lieutenant Governor and President and Presiding Officer of the Senate. McDowell Lee, Secretary, was present and acted as such according to law.

PRAYER

The Session was opened with prayer by the Reverend Jiles Williams, Jr., Pastor, New Providence Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Boyington	Foshee	Mitchell
Aldridge	Cooley	Goodwin	Mitchem
Amari	Corbett	Harrison	Parsons
Bachus	Covington	Holmes	Proctor
Bailey	deGraffenried	Keener	Robertson
Barron	Denton	Kirkland	Smith (B)
Bedford	Dixon	Little	Smith (J)
Bedsole	Figures	Menton	Teague
Bishop			

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LEAVE OF ABSENCE

On motion of Senator Smith (B), leave of absence was granted Senators Cabaniss, Hilliard, and Pearson for today.

MESSAGE FROM THE HOUSE

Mr. President:

I have been directed by the House to advise the Senate that the House is now in session and is ready for the transaction of business.

JOHN W. PEMBERTON,
Clerk.

INTRODUCTION OF BILLS

Upon a call of the districts, bills were introduced, severally read one

**FIRST EXTRAORDINARY SESSION
1st Day**

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time and referred to appropriate standing committees, as follows:

By Senator Robertson:

S. 1. To provide for the criminal offense of theft of fish from fish farms and provides for penalties for violation.

Committee on Agriculture, Conservation, and Forestry.

By Senators Denton and Mitchell:

S. 2. To further provide for each presiding officer of the House and Senate to employ additional secretaries and provide for their compensation, benefits and regulation.

Committee on Governmental Affairs.

By Senator Denton:

S. 3. To amend Code of Alabama 1975, Section 5-5A-20, so as to provide that the Superintendent of Banks may authorize the opening of a branch in any county if the Superintendent of Banks deems it necessary to protect the public where any bank, state or national, has been closed, is in danger of closing, or otherwise is involved in severe financial condition threatening the stability of a significant number of banks or banks possessing significant financial resources.

Committee on Banking and Insurance.

By Senator Mitchem:

S. 4. To allow the Commissioner of Agriculture and Industries, at his discretion, to appoint no more than three executive or confidential assistants in the unclassified service to serve at his pleasure, and shall perform such duties as the Commissioner may assign; to have the Commissioner set the salaries of these assistants in an amount no greater than the position of Executive Assistant III which said salaries and expenses shall be paid from the Agricultural fund.

Committee on Agriculture, Conservation, and Forestry.

By Senator Cooley:

S. 5. To amend Section 12-15-7 of the Code of Alabama 1975, relating to appointment of juvenile probation officers, so as to provide further for such appointments.

Committee on Judiciary.

By Senators Cooley and Pearson:

S. 6. To amend Section 26-7A-1 of the Code of Alabama 1975, as amended, which provides for curators being appointed in the probate court so as to clarify that curators may be appointed in any probate court in the State of Alabama and to ratify previous curator appointments by any probate judge which otherwise would qualify under Chapter 7A of Title 26 of the Code of Alabama and in existence on the date of this Act.

Committee on Judiciary.

By Senator Kirkland:

S. 7. To amend Section 9-11-235.1 of the Code of Alabama 1975, so as to provide further for taking or hunting raccoons or opossums at night.

Committee on Agriculture, Conservation, and Forestry.

By Senators Mitchem, Denton, and Barron:

S. 8. To provide for the creation and organization of the Department of Air Transportation and Service; to provide for a central controlling authority to ensure the safe, efficient operation of State aircraft; to provide for the transfer of aircraft and equipment used for the operation of such aircraft to the Department of Air Transportation and Service for various State agencies and departments; to provide for the centralization of the maintenance, management, storage, usage, fueling and operations of State aircraft; to provide for the duties, powers and functions of the Department of Air Transportation and Service including establishing a comprehensive program for management and service of State aircraft, maintain records of all State aircraft flights, maintain and initiate proficiency programs for State pilots, establish priorities for use of State aircrafts, ability to enter into contracts, prepare and maintain policy manual on State aircrafts, provide centralized service, assignment and control of State aircrafts; to create a revolving fund in State Treasury and to authorize the director of said department to make deposits and expenditures from time to time as may be necessary for said department's operations; to provide for the transfer of funds from various agencies to the Department of Air Transportation and Service; to provide that said department shall be subject to audit by the Department of Examiners of Public Accounts; to require annual reports of the departments to be made by the director to the Governor; to repeal all laws or parts of laws in conflict or inconsistent herewith; and to provide for an effective date.

Committee on Commerce, Transportation, and Utilities.

By Senator deGraffenried:

S. 9. To adopt and incorporate into the Code of Alabama 1975 all general and permanent classified municipal laws of the State adopted by the legislature during the 1979 and 1980 Sessions and the 1981 Regular Session and all general and permanent laws, including the classified municipal laws, of the State adopted by the legislature during the 1981 First, Second and Third Special Sessions, the 1982 Regular Session and the 1982 First Special Session, as contained in the 1982 Cumulative Supplement to the Code of Alabama 1975, and to make certain corrections in such cumulative supplement; to adopt and incorporate into the Code of Alabama 1975 the Intestate Succession and Wills Act (Act No. 82-399, S. 49, 1982 Regular Session, referred to as the Probate Code) as contained in Chapter 8 of Title 43 of the 1982 Replacement Volume 22 of the Code; to adopt and incorporate into the Code of Alabama 1975 all general and permanent laws of the State adopted by the legislature during the 1982 Second Special Session as contained in the 1982 Interim Supplement to the Code of Alabama 1975.

Committee on Governmental Affairs.

By Senators Keener and deGraffenried:

S. 10. To amend Sections 41-22-25 and 41-22-27 of the Code of Alabama 1975, to clarify the effective date and publication date of the Administrative Procedure Act.

Committee on Judiciary.

By Senators Smith (J), Bishop, and Teague:

S. 11. To provide that the state or any public body in the state, whether a county, municipality, board of education, public corporation, public instrumentality, political subdivision, or other public entity howso-

ever identified, may issue its notes, bonds, certificates of indebtedness, warrants, or other securities howsoever designated, in fully registered form without coupons.

Committee on Banking and Insurance.

By Senators Smith (J), Bishop, and Teague:

S. 12. To authorize each county in this state to sell and issue from time to time interest-bearing warrants for the purpose of paying costs of erecting necessary public buildings, bridges and roads in such county, and acquiring land therefor; to provide that such warrants shall evidence general obligation indebtedness of the county; to provide that such warrants may, at the discretion of the governing body of the county, be additionally secured by a pledge or pledges of the proceeds from certain taxes; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; to provide that such warrants shall be legal investments for fiduciaries; and to provide that the issuance of any warrants and any interest coupons applicable thereto shall constitute the audit and allowance of claims against the issuing county and any tax proceeds and revenues, or either, pledged to the payment thereof.

Committee on Banking and Insurance.

By Senators Smith (J), Bishop, and Teague:

S. 13. To provide that the state and any public body in the state, whether a county, municipality, board of education, public corporation, public instrumentality, political subdivision, or other public entity howsoever identified, may issue its notes, bonds, certificates of indebtedness, warrants, or other securities howsoever designated, with facsimile signatures of all executing or attesting officers, officials or representatives of the issuer and a facsimile of the corporate seal, if any, of the issuer, if such securities are required to be authenticated by the manual signature of the registrar of such securities.

Committee on Banking and Insurance.

By Senator Parsons:

S. 14. To amend Section 32-8-86, Code of Alabama 1975, relating to the removal or falsification of an identification number, registration or license date of a vehicle or an engine, so as to provide for the forfeiture and condemnation of any item seized pursuant to this section.

Committee on Judiciary.

By Senator deGraffenried:

S. 15. To further amend Section 43-5-40 of the Code of Alabama 1975, as amended, which section relates to the wife retaining possession of the dwelling house usually resided in by her husband before his death so as to allow retention of the dwelling house by the surviving spouse until homestead is assigned. To be effective January 1, 1983.

Committee on Judiciary.

By Senators Keener and deGraffenried:

S. 16. To amend Sections 41-22-25 and 41-22-27 of the Code of Alabama 1975, to clarify the effective date and publication date of the Admin-

istrative Procedure Act.

Committee on Governmental Affairs.

By Senators Mitchell and Proctor:

S. 17. To provide further for the expenses of the state auditor.

Committee on Governmental Affairs.

By Senators Mitchell and Proctor:

S. 18. To amend Section 36-16-3, Code of Alabama 1975, which provides for assistants and clerical help of the state auditor, so as to provide further for technical assistance for said officer.

Committee on Governmental Affairs.

By Senator Mitchell (With Notice and Proof):

S. 19. Relating to Wilcox County; to set the compensation for certain clerks in the probate judge's office; to provide for pay periods, source of funding and for retroactive effect.

Committee on Local Legislation No. 1.

I hereby certify that the notice & proof is attached to the Bill, SB 19, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Parsons:

S. 20. To amend further sections 25-4-16 and 25-4-72, Code of Alabama 1975, as last amended, relating to unemployment compensation, so as to increase the taxable wage base from \$6,600 to \$9,000 and to increase the individual weekly benefit amount in certain instances from \$90 to \$130.

Committee on Business and Labor Relations.

By Senators Goodwin, Kirkland, Keener, Covington, Mitchem, Teague, Bishop, Bailey, Bedsole, and Parsons:

S. 21. To make an appropriation of Trust Income from the Alabama Heritage Trust Income Account to the Alabama Medicaid Agency for the ordinary expenses of state government for the fiscal year ending September 30, 1983.

Committee on Finance and Taxation.

By Senators Goodwin, Kirkland, Keener, Covington, Mitchem, Teague, Bishop, Bailey, Bedsole, Cooley, Boyington, and Parsons:

S. 22. To amend Sections 36-17-8 and 36-17-10 of the Code of Alabama 1975, relating to the procedure for the treasurer in paying principal and interest on bonded indebtednesses and the payment on bonded indebtedness by the fiscal agent, so as to provide further for such procedure, the time-frame for the transfer of funds, and the bank designations; and to provide for certain exceptions as to existing bond debentures; to specifically repeal Sections 36-17-7 and 36-17-9 of the Code of Alabama 1975, relating to the designation of a fiscal agent for bond issue payments in only the city of New York and the method of sending money for payment of indebted-

ness to the fiscal agency in only such city.

Committee on Finance and Taxation.

By Senators Goodwin, Kirkland, Keener, Covington, Mitchem, Teague, Bishop, Bailey, Bedsole, Cooley, Boyington, and Parsons:

S. 23. To amend Section 40-5-36, Code of Alabama 1975, so as to require the tax collector of each county to report tax collections twice a month throughout the year.

Committee on Governmental Affairs.

By Senators Goodwin, Covington, Teague, Bishop, and Bailey:

S. 24. To amend 1975 Code of Alabama, § 40-20-2, so as to delete certain exemptions and provide an eight (two percent additional) percent statewide production privilege tax and to rescind royalty owners tax exemptions so that contracts will not be impaired, and to provide an effective date.

Committee on Finance and Taxation.

By Senators Goodwin, Kirkland, Keener, Covington, Mitchem, Teague, Bishop, Bailey, Bedsole, Cooley, Boyington, and Parsons:

S. 25. To amend Section 41-14-34 of the Code of Alabama 1975 regarding payment of interest to the State.

Committee on Banking and Insurance.

By Senators Proctor, deGraffenried, Mitchell, and Keener:

S. 26. To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census.

Committee on Governmental Affairs.

By Senator Parsons:

S. 27. To amend the Alcoholic Beverage Licensing Code (§ 28-3A-25) so as to include certain offenses in the proscribed unlawful acts and offenses.

Committee on Judiciary.

By Senators Mitchell and Little:

S. 28. To propose an amendment to Amendment No. 161 to the Constitution of Alabama of 1901, to increase the number of trustees of Auburn University and to provide for their appointment.

Committee on Constitutional Revision.

The above Bill was read a first time at length as required by the Constitution.

By Senators Smith (B), Barron, and Smith (J):

S. 29. To amend Section 16-18-1 of the Code of Alabama 1975, relating to public educational building authorities, so as to permit a public educational building authority to provide facilities to an educational institution

indirectly through a private person, firm or corporation.

Committee on Education.

MESSAGE FROM THE GOVERNOR

State of Alabama
Governor's Office
Montgomery 36130

January 25, 1983

The Honorable William Baxley
Lieutenant Governor
State of Alabama
State Capitol
Montgomery, Alabama 36130

Dear Governor Baxley:

Attached hereto is a message from Governor George C. Wallace to the Alabama Senate convened in the first Extraordinary Session of the Alabama Legislature January 25, 1983.

Sincerely,

ELVIN STANTON,
Executive Secretary.

Governor Baxley.

Ladies and Gentlemen of the Alabama Senate.

I have called you into extraordinary session for the purpose of meeting an emergency need that has arisen in the state's General Fund caused by a severe reduction in revenues.

The General Fund has been under a 15% proration since the beginning of the fiscal year. However, actual funding of the agencies operating out of this fund has been approximately 65% of their annual budget rather than 85%, resulting in a deficit of about \$25 million below the prorated level.

To solve this crisis it is imperative that you take immediate remedial action. I am recommending your consideration of a number of measures to increase revenues to meet these dire needs.

This Legislation is needed in order to fund Medicaid Providers at the present level of service to the medically needy. Your approvals of these Bills will mean there will not be an interruption in services provided by the Alabama Medicaid Agency to the many needy citizens of our state. Passage of these Bills is necessary at this time in order to avoid further proration of those budgets funded out of the General Fund:

MONTHLY INTEREST PAYMENT RATHER THAN QUARTERLY PAYMENT

Section 41-14-34 stipulates how often interest will be paid to the state of Alabama for various types of deposits or accounts of the state. Presently interest is paid on state deposits quarterly although it is earned on a monthly basis. This bill changes the method of payment of the interest from quarterly to monthly. This act would provide legislative approval of a practice that was started two years ago to collect all interest due at the end of the fiscal year.

PROCEDURE FOR PAYMENTS BY STATE ON BONDED INDEBTEDNESS

This bill establishes a procedure and deadline for making payments on principal and interest for bonded indebtedness of the state of Alabama. Specifically certain requirements that the fiscal agent be located in New York, that the payment be made 30 days prior to due date, and the method of transmitting payment are modified.

The act will allow the state of Alabama to retain the principal and interest for a longer period of time, and provide a more convenient process of making the payments.

OIL AND GAS SEVERANCE TAX

To amend the current law to increase the severance tax at the well head from six (6) to eight (8) percent of the gross value at the point of production. It will further eliminate all exemptions and provide equity in taxation statewide. It rescinds royalty owner's tax exemptions.

SEMI-MONTHLY SUBMITTAL OF TAX COLLECTORS REPORTS

Since tag and taxes are now collected on a staggered basis this bill will require semi-monthly reporting throughout the year.

As the law now stands after a tax collector makes final settlement with the State Comptroller, he is not required to settle again with the State Comptroller until October 15 of the following fiscal year. It is conceivable that tax collectors could make a final settlement as early as February and withhold funds for a period of six (6) to seven (7) months. This bill requires a systematic settlement schedule.

MEDICAID FUND FOR 1982-83 TRANSFER OF INTEREST FROM HERITAGE TRUST INCOME ACCOUNT

This bill transfers from the Heritage Trust Fund Income Account earned unappropriated monies remaining in the Alabama Heritage Trust Income Account on September 30, 1982, for Medicaid purposes and also provides that earnings in excess of debt requirements for 1982-83 be set aside for Medicaid purposes.

PRISON COMMISSIONER LEGISLATION

The prison commissioner legislation is proposed to clear up a serious conflict between the Executive Department and the Federal Judiciary.

The prior administration deemed it expedient for the Governor, who is elected by the people of this great State to serve as the chief executive and to administer all departments to serve as Receiver under the direction of the Federal Court. I perceive this to be an obvious conflict of interest.

The prior administration was successful in passing legislation, under threat of Federal Court sanctions, to place all authority of the administration of the Prison system under the chief executive. I feel this situation is not in the best interest of the people of this state.

I propose herewith, legislation to establish an Alabama Department of Corrections, to be administered by a Commissioner who will have full administrative responsibility over the Prison system, thus leaving the Governor free to fairly and freely administer the overall functions of all depart-

ments and divisions of the State government.

I know there are other matters of pressing concern yet to be considered by you and I am hopeful you will give immediate attention to these proposals so that we may soon turn our attention to other needed legislation.

GOVERNOR'S MESSAGE

The foregoing report from his Excellency, the Governor, was read and ordered spread upon the Journal.

COMMUNICATION FROM SUPERINTENDENT OF EDUCATION

State of Alabama
Department of Education

January 19, 1983

Members
The Alabama State Senate
State Capitol
Montgomery, AL 36130

Gentlemen:

In compliance with Amendment 399 of the Constitution of Alabama, I hereby certify to the Senate of Alabama that the following persons have been elected as a member of The University of Alabama Board of Trustees by the members of said Board, in the manner prescribed by the Constitution, on November 10, 1982:

<u>Name</u>	<u>Address</u>	<u>District</u>	<u>Expiration of Term</u>
George Robinson Swift, Jr.	Atmore, Alabama	First	1988
Margaret P. Stabler	Greenville, Alabama	Second	1986
Margaret E. M. Tolbert	Tuskegee Institute, AL	Third	1987
Juliet Given St. John	Cullman, Alabama	Fourth	1986
William Henry Mitchell	Florence, Alabama	Fifth	1984
Louis J. Willie	Birmingham, Alabama	Sixth	1986
Sandra Hullett	Eutaw, Alabama	Seventh	1983

Respectfully submitted,

WAYNE TEAGUE,
State Superintendent of Education.

Sworn to and subscribed
before me on this 20th
day of January, 1983.

Carroll T. Missicline
Notary Public

COMMUNICATION FROM SUPERINTENDENT OF EDUCATION

The foregoing Communication from the Superintendent of Education, relative to appointments to the Board of Trustees of the University of Alabama, was read and referred to the Standing Committee on Rules.

MOTION TO ADJOURN

Senator Teague moved that when the Senate adjourns today, it adjourn to meet again Wednesday, January 26, 1983, at 2 o'clock P.M., which motion was adopted.

RESOLUTIONS

Senator Smith (J) offered the following Senate Joint Resolution, to-wit:

S. J. R. 1. ESTABLISHING LEGISLATIVE MEETING DAYS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when we adjourn today, Tuesday, January 25, 1983, we adjourn to meet again on Wednesday, January 26, 1983, when we adjourn on Wednesday, January 26, 1983, we adjourn to meet again on Thursday, January 27, 1983.

Which was read and referred to the Standing Committee on Rules.

Senator Kirkland offered the following Senate Joint Resolution, to-wit:

S. J. R. 2. COMMENDING FORMER ESCAMBIA COUNTY SHERIFF G. S. "SCOTTY" BYRNE.

WHEREAS, the Alabama Legislature expresses sincere appreciation to former Escambia County Sheriff G. S. "Scotty" Byrne whose tenure in office encompassed the years 1958 to 1983; and

WHEREAS, following his first term in office, Sheriff Byrne was subsequently re-elected to five successive four-year terms during which time he continued to render dedicated and invaluable service to the citizens of Escambia County; and

WHEREAS, though Sheriff Byrne is indeed to be commended for meritorious performance of his law enforcement duties, he also is an outstanding administrator who greatly strengthened and enlarged the department from a mere five employees with inadequate equipment to the present efficient force of seventeen with a fleet of 12 automobiles and a helicopter; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend former Sheriff G. S. "Scotty" Byrne of Escambia County for meritorious service and direct that he receive a copy of this resolution in token of our deep appreciation, sincere praise and esteem.

On motion of Senator Kirkland, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Smith (B), Cooley, Aldridge, Smith (J), Mitchem, Little, Robertson, Mitchell, Barron, Bachus, Bedsole, and Dixon offered the following Senate Joint Resolution, to-wit:

S. J. R. 3. CREATING A JOINT LEGISLATIVE COMMITTEE ON INDUSTRIAL EXPANSION, ECONOMIC GROWTH, AND JOBS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there shall be joint study committee on industrial expansion, economic growth, and jobs, which shall be a continuing committee to make a study of any and all aspects of industrial expansion, economic growth, and development, and jobs in the state, hold hearings and inquire into ways and means of improving conditions in the

aforementioned areas. The committee shall make a report to the legislature before the 25th legislative day of all future regular sessions of the legislature.

BE IT FURTHER RESOLVED, That the committee shall consist of the members of the Senate Committee on Industrial Expansion, Economic Growth, and Jobs and the House Committee on Commerce and Industrial Development. The chairman of the Senate Committee on Industrial Expansion, Economic Growth, and Jobs shall serve as the Chairman of this committee, and the chairman of the House Committee on Commerce and Industrial Development shall serve as Vice-chairman. The chairman of the committee shall set the schedule and program for committee work, shall fix the days and hours of meeting and conducting hearings and examining witnesses who appear before the committee and may appoint subcommittees and invest them with such authority as may be necessary to conduct the committee's business and expedite its work. Each legislative member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the legislature, upon warrants drawn on the state comptroller upon requisition signed by the committee's chairman; provided, however, that members shall not receive additional legislative compensation or per diem when the legislature is in session or if a member is being paid any other payments on the same dates for attendance of other state business. Out of state travel will be allowed for the members of the committee but must be approved by the chairman of the committee and the Lieutenant Governor for the members of the Senate and the Speaker for members of the House. Upon the request of the Chairman, the Secretary of the Senate and the Clerk of the House shall provide clerical assistance as may be necessary for the committee's work. Additional assistance shall be provided by the Legislative Reference Service and the Legislative Fiscal Office. The total of all expenses for the committee shall not exceed \$30,000.00.

On motion of Senator Smith (B), the Rules were suspended and the Resolution was adopted by the Senate.

Senator Little offered the following Senate Joint Resolution, to-wit:

S. J. R. 4. COMMENDING THE REVEREND JOHN H. JEFFERS, PASTOR OF THE FIRST BAPTIST CHURCH OF AUBURN, ALABAMA.

WHEREAS, it is to be noted that the Reverend John H. Jeffers, in rare length of tenure, is currently serving in his 25th year as Pastor of the First Baptist Church of Auburn, Alabama; and

WHEREAS, a native of Glencoe, Etowah County, Alabama, the Reverend Jeffers is a graduate of Samford University who attended both Southwestern and Southern Seminaries and holds an honorary Doctor of Divinity degree bestowed in 1967 by Judson College; and

WHEREAS, prior to his 1958 call to Auburn's First Baptist Church, Dr. Jeffers served pastorates in Collinsville, Hartford and Andalusia, Alabama; he also has an impressive background of denominational service as State Training Union secretary and with the Training Union Department of the Baptist Sunday School Board; and

WHEREAS, he also is a former member of the Executive Board, Administration Committee, Education Commission, Judson College trustee and Chairman of the Christian Life and Public Affairs Commission, all with

the Alabama State Baptist Convention; and

WHEREAS, the Reverend Jeffers has further served the Southern Baptist Convention as Trustee of the Baptist Sunday School Board and as Chairman of the Church Services and Materials Committee; and

WHEREAS, throughout his ministry, Dr. Jeffers has served in compassionate concern for each member of his congregation, ministering to their needs as individuals and dedicating his efforts to the Glory of God; and

WHEREAS, Dr. Jeffers, who is a member of Trident Men's Honorary of Samford University and a member of the Auburn Lion's Club, also has found time to contribute in other ways to the Auburn community as director of the Auburn United Fund and past president of the Auburn Ministerial Association; now therefore,

BE IT RESOLVED BY THE SENATE OF THE LEGISLATURE OF ALABAMA BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend the Reverend John H. Jeffers of the First Baptist Church of Auburn, Alabama, and his wife, Mrs. Jeanette Thompson Jeffers, who through support and encouragement has devotedly shared his pastoral responsibilities and congregational ministry.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the Reverend and Mrs. Jeffers that they may be aware of our sincere warm praise and regard.

On motion of Senator Little, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Harrison offered the following Senate Joint Resolution, to-wit:

S. J. R. 5. APPLYING TO THE CONGRESS OF THE UNITED STATES TO CALL A CONSTITUTIONAL CONVENTION FOR THE PURPOSE OF ABOLISHING THE INDIVIDUAL INCOME TAX SYSTEM AS AUTHORIZED BY AMENDMENT XVI TO THE UNITED STATES CONSTITUTION.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature of Alabama, 1983 First Special Session, applies to the Congress of the United States to call a convention for the sole and exclusive purpose of proposing an amendment to the Constitution that would repeal Amendment XVI to the United States Constitution (authorizing Federal income taxes).

BE IT FURTHER RESOLVED, That this application shall constitute a continuing application for such a convention pursuant to Article V of the Constitution of the United States until such time as the legislatures of two-thirds of the states shall have made like applications and such convention shall have been called by the Congress of the United States.

BE IT FURTHER RESOLVED, That copies of this concurrent resolution be presented to the President of the Senate of the United States, the Secretary of the Senate of the United States, the Speaker of the House of Representatives of the United States, and to each member of the Congress from Alabama, attesting the adoption of this concurrent resolution by the 1983 First Special Session of the Legislature of the State of Alabama.

Which was read and referred to the Standing Committee on Rules.

Senators Little and Corbett offered the following Senate Joint Resolution, to-wit:

S. J. R. 6. MOURNING THE DEATH OF MR. CHARLES L. INGRAM OF LEE COUNTY, ALABAMA.

WHEREAS, the Legislature of Alabama expresses deep sorrow and regret in the tragic and untimely death of Mr. Charles L. "Lou" Ingram of Lee County, Alabama, on August 22, 1982; and

WHEREAS, Mr. Ingram was just 58 years of age at the time of his death which was the result of his involvement in a tractor accident near his home in the Marvyn Community; and

WHEREAS, Mr. Ingram was a longtime Lee County Tax Assessor who was appointed to the office in 1965 and was subsequently reelected to three six-year terms; and

WHEREAS, a native of Marvyn, he was a member of the Marvyn Methodist Church and of the Opelika Kiwanis Club; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Mr. Charles L. "Lou" Ingram of the Marvyn Community of Lee County, Alabama, an exemplary citizen and a truly dedicated public official.

BE IT FURTHER RESOLVED, That a copy of this resolution be provided for his wife, Mrs. Mary Ann Rice Ingram, and their four children, for his mother, Mrs. Kay Ingram, and other family members in declaration of our shared sorrow in their great and grievous loss.

On motion of Senator Little, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Corbett, Little, Teague, Aldridge, Amari, Bachus, Bailey, Barron, Bedford, Bedsole, Bishop, Boyington, Cabaniss, Cooley, Covington, deGraffenried, Denton, Dixon, Figures, Foshee, Goodwin, Harrison, Hilliard, Holmes, Keener, Kirkland, Menton, Mitchell, Mitchem, Parsons, Pearson, Proctor, Robertson, Smith (B), and Smith (J) offered the following Senate Joint Resolution, to-wit:

S. J. R. 7. MOURNING THE DEATH OF MR. JOSEPH WILSON SMITH OF PHENIX CITY, ALABAMA.

WHEREAS, it is with deep sorrow and regret that the Alabama Legislature notes the death of Mr. Joseph Wilson Smith of Phenix City, Alabama, on September 6, 1982, at the age of 65 years; and

WHEREAS, Mr. Smith, who was a native of Girard, now a part of Phenix City, Alabama, was one of our state's most prominent attorneys and a former member of both the Alabama Senate and the House of Representatives, during which time he worked diligently in the areas of education, highways and industrial development, among others, to the benefit of his district and the entire State of Alabama; and

WHEREAS, a graduate of Phenix City's Central High School, Mr. Smith also was a graduate of the University of Alabama and the University's School of Law where he was active in student government and president of the law school student body; he was a member of Omicron Delta Kappa national honorary leadership fraternity, listed in Who's Who in American Colleges and Universities, a member of Pi Kappa Alpha fraternity, Phi Alpha Delta legal fraternity and Delta Kappa honorary; and

WHEREAS, as a veteran of Worrrld War II, and following discharge with the rank of Major, Mr. Smith established his legal practice in Phenix City, remaining actively involved until his death and despite legal blindness inceped by the loss of an eye to cancer in 1947; and

WHEREAS, Mr. Smith also was active in numerous civic affairs including the Phenix City School Board, Alabama Education Commission, Phenix City Lions Club, the Boys Club, Phenix City Utilities Board, Phenix City-Russell County Chamber of Commerce and the Chattahoochee Valley Airport Commission, many of which he served in various leadership capacities; and

WHEREAS, he further was a former director of the Phenix-Girard Bank and the Association of the United States Army and was serving at the time of his death as second vice president of the Columbus-Phenix City-Fort Benning Chapter of AUSA; he was a member and former board member and Sunday School Superintendent of the United Methodist Church of Phenix City; member of University of Alabama President's Cabinet; and a member of the American, Alabama and Russell County Bar Associations; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Mr. Joseph Wilson Smith of Phenix City, Alabama, an outstanding Alabamian and truly great American patriot.

BE IT FURTHER RESOLVED, That in deeply shared sorrow, we extend our most heartfelt sympathy to his wife, Mrs. Lenora Coghlan Smith, to their children and to other family members to whom a copy of this resolution shall be sent.

On motion of Senator Corbett, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Harrison offered the following Senate Resolution, to-wit:

S. R. 8. WISHING MR. CHARLES JOHNSON OF TALLASSEE, ALABAMA, A SPEEDY RECOVERY.

Which was adopted.

Senator Barron offered the following Senate Resolution, to-wit:

S. R. 9. MOURNING THE DEATH OF MRS. MARTHA HOLLEY CALDWELL OF SCOTTSBORO, ALABAMA.

Which was adopted.

Senator Little offered the following Senate Resolutions, to-wit:

S. R. 10. HONORING MR. HOYT WEBB OF DADEVILLE, ALABAMA.

Also:

S. R. 11. COMMENDING SERGEANT ROBERT LEWIS ADAIR.

Also:

S. R. 12. COMMENDING MR. ROBERT W. GAY, ALABAMA SOIL CONSERVATIONIST OF THE YEAR.

Also:

S. R. 13. COMMENDING DR. RAY RITLAND, RETIRED AU-

BURN UNIVERSITY PROFESSOR OF ECONOMICS.

Which were adopted.

Senator Kirkland offered the following Senate Resolutions, to-wit:

S. R. 14. COMMENDING MRS. MIKE (SANDY) ENGLISH, BREWTON'S 1983 WOMAN OF THE YEAR.

Also:

S. R. 15. COMMENDING MR. BERNARD SELLERS, BREWTON'S 1983 MAN OF THE YEAR.

Which were adopted.

Senator Teague offered the following Senate Joint Resolution, to-wit:

S. J. R. 16. HONORING GOVERNOR "FOB" JAMES.

WHEREAS, Governor "Fob" James rendered four years of loyal and dedicated service to the State of Alabama; and

WHEREAS, Governor James faithfully served the people of Alabama with unselfish and outstanding zeal; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature of Alabama hereby expresses heartfelt appreciation to Governor Fob James for the dedicated service he rendered during his administration.

BE IT FURTHER RESOLVED, That the desk chair in the Governor's office which Governor James used during his term of office be presented to him as a token of appreciation and high esteem.

On motion of Senator Teague, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Kirkland, Foshee, and Teague offered the following Senate Joint Resolution, to-wit:

S. J. R. 17. CREATING THE JOINT INTERIM MINERAL AND NATURAL RESOURCES STUDY COMMITTEE.

WHEREAS, gas and oil is one of Alabama's fastest growing industries and there are recent discoveries attracting national interests which require the legislature to be properly and timely informed about this field and its effect on all our citizens; and

WHEREAS, there is a great need for a legislative committee to have special knowledge and information on the subject of coal, gravel, state lands and other natural resources and minerals; and

WHEREAS, there is a dire need in the state of Alabama for all facets of the oil and gas industry and the minerals and other natural resources of the state of Alabama to be studied with attention on the results affecting the people of Alabama and the fiscal opportunities and liabilities for the state and the legislature needs to have recommendations for guidance on these complex issues; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created the Mineral and Natural Resources Joint Interim Study Committee to study the gas and oil industry, coal, gravel, state lands, other natural resources and minerals in this state, their regulation, the fiscal opportunities and liabilities

for the state, these industries effect upon our citizens, and all pertinent facts thereof.

BE IT FURTHER RESOLVED, That the said joint committee shall be composed of a total of six (6) members of which three (3) members shall be appointed each by the Lieutenant Governor and the Speaker of the House; the chairman and vice chairman shall be selected by the members from among its membership and the meetings shall be at the call of the chairman or at the written request of any four members. The members shall serve until the expiration of the term of their current office. Any vacancy shall be filled in the same manner as the original appointment for the remainder of the term.

RESOLVED FURTHER, That upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as the committee's work may require. Each member shall be entitled to his regular legislative compensation, his per diem and travel expenses within or without the state for each day he is on business of the committee or attends its meetings when the legislature is not in session or is in recess without pay. Such sums shall be paid out of sums appropriated to the use of the legislature on approval by the chairman and in accordance with law; provided, however, the total of such sums shall not exceed \$10,000.00.

BE IT FURTHER RESOLVED, That the committee shall be empowered to call witnesses to testify under oath and the members of the state Gas and Oil Board, other state agencies, and the employees thereof shall furnish, upon request of the committee, any and all information, data and documents which the committee may need or request to implement its duties, the chairman of said committee shall have the power to issue witness subpoenas and subpoenas duces tecum.

BE IT FURTHER RESOLVED, That the committee shall make its report, findings and recommendations to the legislature no later than the tenth legislative day of each Regular Session. It shall stand discharged upon making its final report in the regular session of the members' last year of their term of office.

Which was read and referred to the Standing Committee on Rules.

Senators Proctor and Teague offered the following Senate Joint Resolution, to-wit:

S. J. R. 18. COMMENDING MISS POLLY HOLLIDAY.

WHEREAS, a native Alabamian, Miss Polly Holliday has brought great fame and honor to our state and has distinguished herself as an outstanding performer, one who is firmly established as a star of stage, screen and television; and

WHEREAS, Miss Holliday, who was born in Jasper in Walker County, Alabama, is a graduate of the University of Montevallo with additional post graduate study acquired at Florida State University; her degree in music education led to a short tenure as a music teacher followed by some ten years as a member, variously, of the Asolo State Theatre Repertory Company, the Front Street Theatre and Atlanta Municipal and Boothbay Playhouses, appearing in more than 80 plays; and

WHEREAS, perhaps in Alabama, Miss Holliday is best known and loved for her role as "Flo" in the CBS Television Series, "Alice," and for which portrayal she won back-to-back Golden Globe Awards; she further is

the recipient of five Emmy Award nominations and an honorary doctorate from Mount Saint Mary College; and

WHEREAS, Miss Holliday's additional credits include *All Over Town* on Broadway, *The Shady Hill Kidnapping* for PBS, NBC's live telecast of *All The Way Home*, CBS movie *Missing Children* and numerous film appearances including "The One and Only" and "You Can't Take it With You"; and

WHEREAS, in spite of the many demands on Miss Holliday as an accomplished actress, she yet devotes much of her time and effort on behalf of such worthy causes as the National Retinitis Pigmentosa Foundation which she has served as National Chairwoman and Honorary President; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most warmly praise and commend Miss Polly Holliday, a beloved daughter of the State of Alabama; we further congratulate her on her latest honor as University of Montevallo "Alumna of the Year" and direct that she receive a copy of this resolution in small token of our appreciation and utmost regard.

On motion of Senator Proctor, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Harrison offered the following Senate Joint Resolution, to-wit:

S. J. R. 19. APPLYING TO THE CONGRESS OF THE UNITED STATES TO CALL A CONSTITUTIONAL CONVENTION FOR THE PURPOSE OF ABOLISHING THE FEDERAL RESERVE SYSTEM AS IT NOW EXISTS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature of Alabama, 1983 First Special Session, applies to the Congress of the United States to call a convention for the sole and exclusive purpose of proposing an amendment to the Constitution that would restore and return to the Government of the United States of America the complete, absolute and unconditionally vested power to coin money and regulate the value thereof and forever abolish the Federal Reserve System.

BE IT FURTHER RESOLVED, That this application shall constitute a continuing application for such a convention pursuant to Article V of the Constitution of the United States until such time as the legislatures of two-thirds of the states shall have made like applications and such convention shall have been called by the Congress of the United States.

BE IT FURTHER RESOLVED, That copies of this concurrent resolution be presented to the President of the Senate of the United States, the Secretary of the Senate of the United States, the Speaker of the House of Representatives of the United States, and to each member of the Congress from Alabama, attesting the adoption of this concurrent resolution by the 1983 First Special Session of the Legislature of the State of Alabama.

Which was read and referred to the Standing Committee on Rules.

Senators Little, Barron, Teague, Corbett, Aldridge, Amari, Bachus, Bailey, Bedford, Bedsole, Bishop, Boyington, Cabaniss, Cooley, Covington, deGraffenried, Denton, Dixon, Figures, Foshee, Goodwin, Harrison, Hilliard, Holmes Keener, Kirkland, Menton, Mitchell, Mitchem, Parsons, Pearson, Proctor, Robertson, Smith (B), and Smith (J) offered the following Senate

Joint Resolution, to-wit:

S. J. R. 20. COMMENDING COACH PAT DYE AND THE AUBURN UNIVERSITY TIGERS.

WHEREAS, the Alabama Legislature, in expression of deep pride and pleasure, extends warmest congratulations to Coach Pat Dye and his 14th-ranked Auburn Tigers; and

WHEREAS, we further pridefully note that the Tigers played their 1982 season before a record 739,000 fans, with more than one-half million of those loyal enthusiasts filling Auburn's Jordan-Hare Stadium for the AU home games; and

WHEREAS, Auburn University also had nine players on the Associated Press All-Conference Team with four players named to the Academic All-Conference team, a number which exceeds that of any other SEC team; and

WHEREAS, following an impressive 8-3 regular season, the Tigers traveled to Orlando, Florida, and on December 18, 1982, soundly trounced Boston College, 33-26, playing in the Tangerine Bowl before a capacity crowd of 52,000—Auburn's second consecutive '82 bowl victory, with their first, of course, the 1982 Iron Bowl Classic, 23-22, Auburn over Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly praise and commend Coach Pat Dye and Auburn University on their outstanding 1982 football season.

BE IT FURTHER RESOLVED, That Coach Dye receive a copy of this resolution, on behalf of his entire staff and team, with a copy also forwarded to President Hanly Funderburk for appropriate school display.

Which was read and referred to the Standing Committee on Rules.

REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 1. ESTABLISHING LEGISLATIVE MEETING DAYS.

On motion of Senator Smith (J), the Resolution was then adopted by the Senate.

ADJOURNMENT

At 7:05 P.M., on motion of Senator Teague, in accordance with motion heretofore adopted, the Senate adjourned until Wednesday, January 26, 1983, at 2 o'clock P.M.

SECOND LEGISLATIVE DAY
WEDNESDAY, JANUARY 26, 1983

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

PRAYER

The Session was opened with prayer by the Reverend Stephen Askew, Curate, Church of the Ascension, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Boyington	Goodwin	Mitchell
Aldridge	Cooley	Harrison	Mitchem
Amari	Corbett	Hilliard	Parsons
Bachus	Covington	Holmes	Proctor
Bailey	deGraffenried	Keener	Robertson
Barron	Denton	Kirkland	Smith (B)
Bedford	Dixon	Little	Smith (J)
Bedsole	Figures	Menton	Teague
Bishop	Foshee		

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JOURNAL

On motion of Senator Denton, the reading of the Journal of yesterday was dispensed with.

REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the First Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,
Chairperson.

COMMITTEE REPORT

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the First Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Senator Denton, leave of absence was granted Senators Cabaniss and Pearson for today.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Holmes:

H. J. R. 8. ENCOURAGING ALABAMA'S CONGRESSIONAL DEL-

EGATION TO SUPPORT LEGISLATION IN THE AREAS OF NATIONAL DEFENSE AND SOCIO-ECONOMICS.

WHEREAS, Alabama's Congressional Delegation, and those of the various States, are currently faced with issues in a number of areas most particularly vital to the well-being of our nation; and

WHEREAS, among the many problems to be met and conquered are those in the areas of national defense and socio-economics; and

WHEREAS, the Alabama Legislature is united in its concern that the United States be militarily armed to a degree sufficient to deter any aggressive action against our nation and to adequately protect our shores from attack; and

WHEREAS, it is equally as important, however, that the Congress also continue to support socio-economic legislation for aid to the aged, infirm and unemployed as well as our minority citizens; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby call upon our Congressional Delegation in Washington, D.C., to support such legislation as herein described and further direct that all delegation members receive a copy of this resolution.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H.J.R. 8, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Holmes:

H. J. R. 7. COMMENDING COACH PAUL W. BRYANT OF THE UNIVERSITY OF ALABAMA.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H.J.R. 7, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Kvalheim:

H. J. R. 19. URGING THE ALABAMA DEPARTMENT OF INDUSTRIAL RELATIONS TO RECONSIDER THE RELOCATION OF THE MOBILE LOCAL STATE EMPLOYMENT SERVICE AND UNEM-

PLOYMENT COMPENSATION OFFICE TO AN INACCESSIBLE LOCATION ON SPRINGHILL AVENUE.

WHEREAS, the Alabama Legislature, in consensus of opinion, is vehemently opposed to the relocation of the local Mobile State Employment Service and Unemployment Compensation Office to a remote and inaccessible site at 4617 Springhill Avenue, as has been proposed; and

WHEREAS, these two offices, now located in downtown Mobile, are so situated as to be readily reached by those in need of such services; and

WHEREAS, a consolidation and relocation of these two offices to such a remote, residential area would serve no purpose other than to create insolvable traffic problems and place an unnecessary burden on those in need of such services; and

WHEREAS, it is unthinkable to this body that such a move would ever be considered that would so add to the burden and plight of the unemployed in our state; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby urge and beseech the Alabama Department of Industrial Relations to reconsider its decision to relocate the Mobile Local State Employment Service and Unemployment Compensation Office to the remote Springhill Avenue site now proposed and to instead select a more centrally located office accessible to those it serves.

BE IT FURTHER RESOLVED, That the Clerk of the House is directed to inform the Director of the Alabama Department of Industrial Relations, by copy of this resolution, of this request of the Legislature.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H.J.R. 19, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. White (F):

H. J. R. 10. REGARDING THE RETENTION OF GOVERNOR GEORGE C. WALLACE'S PORTRAIT IN THE STATE CAPITOL ROTUNDA.

WHEREAS, George C. Wallace is the only person to have been elected Governor of the State of Alabama four separate times; and

WHEREAS, George Wallace will hold an important position in the history of this nation; and

WHEREAS, the name of Governor Wallace is known nationally and internationally for his courageous political career; and

WHEREAS, George Corley Wallace is one of only two Alabamians to be a viable U. S. Presidential candidate; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the official portrait of Governor George C. Wallace is of such significant historical importance that it shall be displayed in the center rotunda of the first floor of the state capitol from this date henceforth.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Governor Wallace and the Alabama Historical Commission so that they may know of our intent that this historic portrait will be forever displayed.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H.J.R. 10, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Hettinger, Freeman, Brooks, Butler, Hall, Albright:

H. J. R. 11. CREATING INTERIM COMMISSIONS TO ASSESS THE STATE'S EDUCATIONAL NEEDS IN THE AREA OF HIGH TECHNOLOGY.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created an interim commission to conduct a comprehensive assessment of the human and capital resource needs of all the colleges and universities which offer baccalaureate or graduate programs in the field of engineering. The commission shall be composed of a representative from each of the following institutions of higher learning: The University of Alabama, the University of Alabama in Birmingham, the University of Alabama in Huntsville, the University of South Alabama, Auburn University, and Tuskegee Institute. Each institutional representative shall be appointed by the respective university president and shall serve at his discretion and without compensation. The six-member commission shall issue a written report to the Governor and legislature not later than 180 days following the effective date of this act. Upon the issuance of said report, the commission shall terminate.

BE IT FURTHER RESOLVED, That, additionally, there is hereby created an interim commission to conduct a comprehensive assessment of the human and capital resource needs of the state junior, community and technical colleges with specific emphasis on training of technical support personnel for high technology programs. This assessment shall be conducted by a six-member commission who shall serve without compensation and shall be appointed by the Chancellor of the state's junior, community, and technical colleges. The six-member commission shall issue a written report to the Governor and legislature not later than 180 days following the effective date of this act. Upon the issuance of said report, the commission shall terminate.

RESOLVED FURTHER, That, in addition, there is hereby created an interim commission to conduct a comprehensive assessment of the human and capital resource needs of the state's elementary and secondary schools

in the fields of science and mathematics. This assessment shall include: (1) specific recommendations regarding the appropriate number of science and math teachers, (2) measures to encourage current math and science teachers to pursue post-baccalaureate studies in the fields of science and mathematics and (3) programs to promote the overall quality of instruction in the fields of science and mathematics. This assessment shall be conducted by a six member commission who shall serve without compensation and shall be appointed by the state superintendent of education. The commission shall issue a written report to the Governor and legislature not later than 180 days following the effective date of this act. Upon the issuance of said report, the commission shall terminate.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H.J.R. 11, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Langford, Starr, Wilson, Holmes, Thomas, McKee, Adams, Albright, Ashley, Bennett, Biddle, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Brooks, Browder, Bryant, Buskey, Butler, Campbell, Carothers, Carter, Casey, Clark, Klikas, Coburn, Coleman, Cosby, Crow, Davis, Drake, Drinkard, Dutton, Escott, Faulk, Flowers, Ford, Freeman, Gaston, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Horn, Howard, Johnson (A. L.), Johnson (R. G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Layton, Lewis, McMillan, Manley, Martin, Mathis, Melton, Minus, Mitchell, Moore, Murphy, Nevett, Newman, Nicholson, Owens, Parker, Payne, Penry, Poole, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Scott, Seibels, Smith, Starkey, Stout, Thornton, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Warren, White (F), White (L), Williams, Wright, Zoghby:

H. J. R. 6. DESIGNATING 1986 AS "THE LIGHTNING ROUTE CENTENNIAL YEAR" IN THE CITY OF MONTGOMERY, ALABAMA.

WHEREAS, on March 25, 1886, a successful trial run of an electric trolley in Montgomery, Alabama, heralded the first electrified mass transit system in the United States; and

WHEREAS, the "Lightning Route" and its further expansion into the residential areas of Montgomery played a significant role in the development of our Capital City and is forevermore recorded as an historic event; and

WHEREAS, the Lightning Route Centennial Committee is now being organized to plan for a celebration to commemorate the one hundredth anniversary of the first city-wide system of electrically powered trolley cars in the nation; and

WHEREAS, the Alabama Legislature, in support of the Lightning Route Centennial Committee and its purpose, deems it desirable that such

event be appropriately recognized for its historic significance through public participation and observance; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby designate the year 1986 as The Lightning Route Centennial Year in the City of Montgomery.

BE IT FURTHER RESOLVED, That The Lightning Route Centennial Committee be provided with a copy of this resolution in testimony of the Legislature's full support of said forthcoming commemoration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Harrison, the Rules were suspended and the Resolution, H.J.R. 6, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Carothers and Turnham:

H. J. R. 14. COMMENDING MRS. FRANCES MIZELL FOR MERITORIOUS SERVICE TO AGRIBUSINESS EDUCATION IN THE STATE OF ALABAMA.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Little, the Rules were suspended and the Resolution, H.J.R. 14, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Casey, Adams, Albright, Ashley, Bennett, Biddle, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Brooks, Browder, Bryant, Buskey, Butler, Campbell, Carothers, Carter, Casey, Clark, Klikas, Coburn, Coleman, Cosby, Crow, Davis, Drake, Drinkard, Dutton, Escott, Faulk, Flowers, Ford, Freeman, Gaston, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Horn, Howard, Johnson (A. L.), Johnson (R. G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Langford, Lauderdale, Layton, Lewis, McKee, McMillan, Manley, Martin, Mathis, Melton, Minus, Mitchell, Moore, Murphy, Nevett, Newman, Nicholson, Owens, Parker, Payne, Penry, Poole, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Scott, Seibels, Smith, Starkey, Starr, Stout, Thomas, Thornton, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Warren, White (F), White (L), Williams, Wilson, Wright, and Zoghby:

H. J. R. 15. COMMENDING THE HOSTS OF THE LEGISLATIVE INAUGURAL PARTY.

WHEREAS, on January 17, 1983, a Legislative Inaugural Dance was held at the Garrett Coliseum in Montgomery, Alabama; and

WHEREAS, the party was a huge success; and

WHEREAS, without certain individuals, the gala event could not have succeeded; and

WHEREAS, the Legislative Wives and Husbands Club sponsored the event which could not have succeeded had it not been for George F. Bailey, J. Robert Benton, James Gray, Johnny Johnson, H. A. Mawhinney, Fred Posey, Bobby Timmons, Hagood Paterson, Nace Allen, Vernon Ligon and L. T. Farris; who gave of their many talents and efforts to insure the success of this occasion; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we heartily commend and thank George F. Bailey, J. Robert Benton, James Gray, Johnny Johnson, H. A. Mawhinney, Fred Posey, Bobby Timmons, Hagood Paterson, Nace Allen, Vernon Ligon and L. T. Farris for the outstanding job they performed in assisting the Legislative Wives and Husbands Club.

BE IT RESOLVED FURTHER, That a copy of this resolution be sent to each of the above named persons as a token of our appreciation and our warm regards for them in their efforts.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator deGraffenried, the Rules were suspended and the Resolution, H.J.R. 15, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Johnson (Roy):

H. J. R. 17. COMMENDING GOVERNOR GEORGE C. WALLACE, THE UNIVERSITY OF ALABAMA, THE ROCHESTER PRODUCTS DIVISION OF GENERAL MOTORS AND THE UNITED AUTO WORKERS UNION.

Also:

By Reps. Kennedy, Buskey, Clark, Turner, Kvalheim, Gaston, Clikas, Harper, Zoughby and Box:

H. J. R. 18. MOURNING THE DEATH OF MR. CLIFTON T. McKINNIS OF MOBILE, ALABAMA.

Also:

By Rep. Johnson (.G.):

H. J. R. 20. COMMENDING MISS SUSAN GLASGOW DUNCAN

OF SYLACAUGA, 1983 ALABAMA TEXTILE QUEEN.

Also:

By Rep. Waggoner:

H. J. R. 21. EXTENDING BEST WISHES TO MRS. LULA TUBBS SHAW OF BIRMINGHAM, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator deGraffenried, the Rules were suspended and the Resolution, H.J.R. 17, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

On motion of Senator Bedsole, the Rules were suspended and the Resolution, H.J.R. 18, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

On motion of Senator Proctor, the Rules were suspended and the Resolution, H.J.R. 20, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

On motion of Senator Bachus, the Rules were suspended and the Resolution, H.J.R. 21, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senators Goodwin and Kirkland:

S. 30. To create a department of corrections headed by and under the direction, supervision and control of a commissioner of corrections and to provide for his appointment and term of office and compensation; to transfer to the department all powers, authority and responsibilities which, prior to the enactment of sections 14-1-15 through 14-1-17, Code of Alabama 1975, as amended, were vested in the board of corrections and which by such statutes were transferred to the governor of the state of Alabama; to provide for the appointment of deputy commissioners by the commissioner to serve at his pleasure and to provide for their compensation, and to repeal conflicting laws and specific statutes pertaining to the governor and the former board of corrections and any inconsistencies contained in Title 14, Chapters 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 of the Code of Alabama 1975, as amended, which conflict with or are inconsistent with any provision of this act.

Committee on Judiciary.

By Senator Parsons (With Notice and Proof):

S. 31. Relating to Jefferson County; providing further for an additional expense allowance of the Assistant Tax Assessor and Assistant Tax Collector, payable from the general fund of the county; providing for an expiration date.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S.B.

31, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Parsons (With Notice and Proof):

S. 32. Relating to Jefferson County; providing further for an additional expense allowance of the Assistant Tax Assessor and Assistant Tax Collector, payable from the general fund of the county; providing for an expiration date.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S.B. 32, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Hilliard (With Notice and Proof):

S. 33. Relating to a Class 1 municipality, as defined by Section 11-40-12 of the Code of Alabama 1975, as amended, with a population of 300,000 or more inhabitants according to the 1970 or most recent census; authorizing any such municipality to create a municipal dormitory building and renovation authority; to authorize the Authority to acquire, construct and equip self-liquidating projects consisting of buildings for dormitories and renovation of existing buildings for dormitories for the University of Alabama in Birmingham; conferring powers and imposing duties on the Authority; providing for the appointment of members of the Authority; authorizing the issuance of revenue bonds of the Authority payable from the revenues, rents, repayment proceeds or purchase payments or other funds received by the Authority; authorizing the execution of trust and security instruments relating to the Authority's property to secure the payment of such revenue bonds; providing that no debt of the State or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this Act and no State or local public funds shall be appropriated for the use of the Authority created by this Act; making such revenue bonds issued under the provisions of this Act, their transfer and the income therefrom, shall at all times be free from taxation of every kind by the State and by political subdivisions of the State; and fixing the venue for jurisdiction of actions relating to any provisions of this Act.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S.B. 33, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Hilliard:

S. 34. To amend Section 11-47-15 of the Code of Alabama 1975 to extend to twenty-five miles, the distance within which any city or town may construct and maintain wharves and wharf sites and collect wharfage dues and other charges thereon and otherwise operate such facilities as authorized by said Section.

Committee on Governmental Affairs.

By Senator Hilliard (With Notice and Proof):

S. 35. To authorize Class I cities to establish Enterprise Zones in areas of pervasive poverty, unemployment and economic distress and to carry out programs to encourage private investment and to create jobs in such areas, and to authorize agencies of such cities, the county governing body and state and county agencies to carry out similar programs in such Enterprise Zones, including, but not limited to, reduction of tax rates, license rates and fees, improvement of public services and reduction and modification of regulatory requirements within such zones, and to provide other services and to modify other requirements as may be necessary or desirable to qualify for financial assistance to such Class I cities or private entities within such zones under any act of the Congress of the United States heretofore or hereafter enacted.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S.B. 35, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

REPORTS OF COMMITTEES

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Goodwin, Kirkland, Keener, Covington, Mitchem, Teague, Bishop, Bailey, Bedsole, and Parsons:

S. 21. To make an appropriation of Trust Income from the Alabama Heritage Trust Income Account to the Alabama Medicaid Agency for the ordinary expenses of state government for the fiscal year ending September 30, 1983.

By Senators Goodwin, Kirkland, Keener, Covington, Mitchem, Teague, Bishop, Bailey, Bedsole, Cooley, Boyington, and Parsons:

S. 22. To amend Sections 36-17-8 and 36-17-10 of the Code of Alabama 1975, relating to the procedure for the treasurer in paying principal and interest on bonded indebtednesses and the payment on bonded indebtedness by the fiscal agent, so as to provide further for such procedure, the time-frame for the transfer of funds, and the bank designations; and to provide for certain exceptions as to existing bond debentures; to specifically repeal Sections 36-17-7 and 36-17-9 of the Code of Alabama 1975, relating to the designation of a fiscal agent for bond issue payments in only the city of New York and the method of sending money for payment of indebtedness to the fiscal agency in only such city.

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senators Goodwin, Covington, Teague, Bishop, and Bailey (With Amendment):

S. 24. To amend 1975 Code of Alabama, § 40-20-2, so as to delete certain exemptions and provide an eight (two percent additional) percent statewide production privilege tax and to rescind royalty owners tax exemptions so that contracts will not be impaired, and to provide an effective date.

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Cooley:

S. 5. To amend Section 12-15-7 of the Code of Alabama 1975, relating to appointment of juvenile probation officers, so as to provide further for such appointments.

By Senators Cooley and Pearson:

S. 6. To amend Section 26-7A-1 of the Code of Alabama 1975, as amended, which provides for curators being appointed in the probate court so as to clarify that curators may be appointed in any probate court in the State of Alabama and to ratify previous curator appointments by any probate judge which otherwise would qualify under Chapter 7A of Title 26 of the Code of Alabama and in existence on the date of this Act.

By Senator Parsons:

S. 14. To amend Section 32-8-86, Code of Alabama 1975, relating to the removal or falsification of an identification number, registration or license date of a vehicle or an engine, so as to provide for the forfeiture and condemnation of any item seized pursuant to this section.

By Senator Parsons:

S. 27. To amend the Alcoholic Beverage Licensing Code (§ 28-3A-25) so as to include certain offenses in the proscribed unlawful acts and offenses.

Senator Mitchell, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Goodwin, Kirkland, Keener, Covington, Mitchem, Teague, Bishop, Bailey, Bedsole, Cooley, Boyington, and Parsons:

S. 23. To amend Section 40-5-36, Code of Alabama 1975, so as to require the tax collector of each county to report tax collections twice a month throughout the year.

By Senators Denton and Mitchell:

S. 2. To further provide for each presiding officer of the House and Senate to employ additional secretaries and provide for their compensation, benefits and regulation.

By Senators Mitchell and Proctor:

S. 18. To amend Section 36-16-3, Code of Alabama 1975, which pro-

vides for assistants and clerical help of the state auditor, so as to provide further for technical assistance for said officer.

By Senators Mitchell and Proctor:

S. 17. To provide further for the expenses of the state auditor.

By Senator deGraffenried:

S. 9. To adopt and incorporate into the Code of Alabama 1975 all general and permanent classified municipal laws of the State adopted by the legislature during the 1979 and 1980 Sessions and the 1981 Regular Session and all general and permanent laws, including the classified municipal laws, of the State adopted by the legislature during the 1981 First, Second and Third Special Sessions, the 1982 Regular Session and the 1982 First Special Session, as contained in the 1982 Cumulative Supplement to the Code of Alabama 1975, and to make certain corrections in such cumulative supplement; to adopt and incorporate into the Code of Alabama 1975 the Intestate Succession and Wills Act (Act No. 82-399, S. 49, 1982 Regular Session, referred to as the Probate Code) as contained in Chapter 8 of Title 43 of the 1982 Replacement Volume 22 of the Code; to adopt and incorporate into the Code of Alabama 1975 all general and permanent laws of the State adopted by the legislature during the 1982 Second Special Session as contained in the 1982 Interim Supplement to the Code of Alabama 1975.

By Senators Keener and deGraffenried:

S. 16. To amend Sections 41-22-25 and 41-22-27 of the Code of Alabama 1975, to clarify the effective date and publication date of the Administrative Procedure Act.

Senator Parsons, Chairperson of the Standing Committee on Education, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senators Smith (B), Barron, and Smith (J) (With Substitute):

S. 29. To amend Section 16-18-1 of the Code of Alabama 1975, relating to public educational building authorities, so as to permit a public educational building authority to provide facilities to an educational institution indirectly through a private person, firm or corporation.

Senator Smith (J), Chairperson of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Goodwin, Kirkland, Keener, Covington, Mitchem, Teague, Bishop, Bailey, Bedsole, Cooley, Boyington, and Parsons:

S. 25. To amend Section 41-14-34 of the Code of Alabama 1975 regarding payment of interest to the State.

By Senators Smith (J), Bishop, and Teague:

S. 12. To authorize each county in this state to sell and issue from time to time interest-bearing warrants for the purpose of paying costs of erecting necessary public buildings, bridges and roads in such county, and acquiring land therefor; to provide that such warrants shall evidence general obligation indebtedness of the county; to provide that such warrants may,

at the discretion of the governing body of the county, be additionally secured by a pledge or pledges of the proceeds from certain taxes; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; to provide that such warrants shall be legal investments for fiduciaries; and to provide that the issuance of any warrants and any interest coupons applicable thereto shall constitute the audit and allowance of claims against the issuing county and any tax proceeds and revenues, or either, pledged to the payment thereof.

By Senators Smith (J), Bishop, and Teague:

S. 13. To provide that the state and any public body in the state, whether a county, municipality, board of education, public corporation, public instrumentality, political subdivision, or other public entity howsoever identified, may issue its notes, bonds, certificates of indebtedness, warrants, or other securities howsoever designated, with facsimile signatures of all executing or attesting officers, officials or representatives of the issuer and a facsimile of the corporate seal, if any, of the issuer, if such securities are required to be authenticated by the manual signature of the registrar of such securities.

By Senator Denton:

S. 3. To amend Code of Alabama 1975, Section 5-5A-20, so as to provide that the Superintendent of Banks may authorize the opening of a branch in any county if the Superintendent of Banks deems it necessary to protect the public where any bank, state or national, has been closed, is in danger of closing, or otherwise is involved in severe financial condition threatening the stability of a significant number of banks or banks possessing significant financial resources.

By Senators Smith (J), Bishop, and Teague:

S. 11. To provide that the state or any public body in the state, whether a county, municipality, board of education, public corporation, public instrumentality, political subdivision, or other public entity howsoever identified, may issue its notes, bonds, certificates of indebtedness, warrants, or other securities howsoever designated, in fully registered form without coupons.

Senator Denton, Chairperson of the Standing Committee on Commerce, Transportation, and Utilities, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senators Mitchem, Denton, and Barron:

S. 8. To provide for the creation and organization of the Department of Air Transportation and Service; to provide for a central controlling authority to ensure the safe, efficient operation of State aircraft; to provide for the transfer of aircraft and equipment used for the operation of such aircraft to the Department of Air Transportation and Service for various State agencies and departments; to provide for the centralization of the maintenance, management, storage, usage, fueling and operations of State aircraft; to provide for the duties, powers and functions of the Department of Air Transportation and Service including establishing a comprehensive program for management and service of State aircraft, maintain records of all State aircraft flights, maintain and initiate proficiency programs for State pilots, establish priorities for use of State aircrafts, ability to enter into contracts,

prepare and maintain policy manual on State aircrafts, provide centralized service, assignment and control of State aircrafts; to create a revolving fund in State Treasury and to authorize the director of said department to make deposits and expenditures from time to time as may be necessary for said department's operations; to provide for the transfer of funds from various agencies to the Department of Air Transportation and Service; to provide that said department shall be subject to audit by the Department of Examiners of Public Accounts; to require annual reports of the departments to be made by the director to the Governor; to repeal all laws or parts of laws in conflict or inconsistent herewith; and to provide for an effective date.

Senator Bailey, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Mitchem (With Substitute) (With Amendment):

S. 4. To allow the Commissioner of Agriculture and Industries, at his discretion, to appoint no more than three executive or confidential assistants in the unclassified service to serve at his pleasure, and shall perform such duties as the Commissioner may assign; to have the Commissioner set the salaries of these assistants in an amount no greater than the position of Executive Assistant III which said salaries and expenses shall be paid from the Agricultural fund.

Senator Bailey, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Robertson:

S. 1. To provide for the criminal offense of theft of fish from fish farms and provides for penalties for violation.

By Senator Kirkland:

S. 7. To amend Section 9-11-235.1 of the Code of Alabama 1975, so as to provide further for taking or hunting raccoons or opossums at night.

RESOLUTIONS

Senator Little offered the following Senate Joint Resolution, to-wit:

S. J. R. 21. MOURNING THE DEATH OF MR. G. H. WRIGHT, FORMER LONGTIME MAYOR OF AUBURN, ALABAMA.

WHEREAS, the Legislature of Alabama has grievously noted the death of Mr. G. H. "Monk" Wright of Auburn, Alabama, on November 9, 1982, at the age of 84 years; and

WHEREAS, Mr. Wright was one of Auburn's most prominent and respected citizens and one who had served his beloved hometown in mayoral capacity for some 18 years during the period between 1944 and 1968; and

WHEREAS, Mayor Monk Wright was a graduate of Auburn High School, and a 1919 graduate of Auburn University which he was later to serve as trustee from 1951 to 1963; he was one of his university's most de-

voted and loyal alumni, and a dedicated "War Eagle" football fan who was in attendance at almost every game for more than seven decades; and

WHEREAS, in addition to his official municipal service, Mayor Wright also was prominent in area business affairs, as an insurance executive with his own agency, and in other civic, community and charitable affairs; he further was a longtime and active member of the First Independent Methodist Church of Auburn; and

WHEREAS, the death of Mayor Monk Wright has indeed left a void in the lives and hearts of all those privileged to know him as a generous, compassionate and truly gentle man; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we are deeply saddened by the death of Mr. G. H. "Monk" Wright of Auburn, Alabama, and extend our most heartfelt sympathy to his beloved wife, Mrs. Louise M. Wright, to their daughter and two sons, and other family members to whom we express shared grief and to whom a copy of this resolution shall be sent.

On motion of Senator Little, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Little then offered the following Senate Joint Resolution, to-wit:

S. J. R. 22. COMMENDING MR. EUGENE C. GWALTNEY, JR., OF ALEXANDER CITY, ALABAMA, FOR OUTSTANDING ACCOMPLISHMENTS.

WHEREAS, the Alabama Legislature notes with warm pride and pleasure the selection of Mr. Eugene C. Gwaltney, Jr., of Alexander City, Alabama, as "Textile Man of the Year" by the Textile Section of the New York Board of Trade; and

WHEREAS, this prestigious award is a distinct honor, indeed, and one which reflects the many accomplishments of Mr. Gwaltney and his numerous contributions to the textile industry; and

WHEREAS, a native of Rock Hill, South Carolina, Mr. Gwaltney began his career with Burlington Mills, later to join the Arlind Corporation, followed by a brief association with Robert and Company; he currently serves as Chairman and Chief Executive Officer of the Russell Corporation which he joined in 1952 as Director of Research and Quality Control; and

WHEREAS, Mr. Gwaltney, who is a graduate of Georgia Tech with further graduate studies at the Massachusetts Institute of Technology, is a United States Army Veteran of World War II, discharged with the rank of major; and

WHEREAS, in addition to contributory service to the entire textile industry, Mr. Gwaltney also has long been involved in numerous other endeavors; he is a Director of the Alabama State Chamber of Commerce, Vice President of Russell Lands, Vice Chairman of the Board of Directors of the First National Bank of Alexander City, Chairman of the Russell Hospital Board of Trustees, and a Director of the American Textile Manufacturers Institute; and

WHEREAS, he further is a Trustee of Tuskegee Institute, a member of the Board of Visitors of the University of Alabama's Graduate School of Business, a member of the Georgia Tech National Advisory Board and the University of Alabama in Birmingham President's Council, and he is the

recipient of the MIT Corporate Leadership Award; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly praise and commend Mr. Eugene C. Gwaltney, Jr., upon his selection as "Textile Man of the Year"; we further express our gratitude for the honor he has brought to the entire State of Alabama and direct that he receive a copy of this resolution in recognition of his many accomplishments and outstanding achievement.

On motion of Senator Little, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Little then offered the following Senate Joint Resolution, to-wit:

S. J. R. 23. HONORING MR. EDGAR LEON MCGRAW UPON HIS RETIREMENT AS EDITOR AND HEAD OF THE DEPARTMENT OF RESEARCH INFORMATION OF THE ALABAMA AGRICULTURAL EXPERIMENT STATION.

WHEREAS, it is with a sense of great pride that the Legislature of Alabama notes the retirement on October 31, 1982, of Mr. Edgar Leon McGraw as editor and head of the Department of Research Information of the Alabama Agricultural Experiment Station; and

WHEREAS, a native of Alabama, Mr. McGraw was born on July 21, 1917, in Anderson, educated in the public schools of Lauderdale County and graduated from Auburn University; and

WHEREAS, Mr. McGraw and his devoted wife, Johnnie Faye Richardson McGraw, are the parents of two children and the grandparents of six, and also have a fine great grandchild; and

WHEREAS, Mr. McGraw is a dedicated member of the Auburn United Methodist Church, a Sunday School teacher, a member of Methodist Men and has served as a lay speaker; he has been offered continuous leadership in his active role with the Auburn Lions Club for over 34 years; and

WHEREAS, his numerous achievements in the area of agricultural college communications have earned him a nationally renowned reputation for professionalism; and

WHEREAS, having served for over 43 years as one of Alabama's most noteworthy educators, his retirement will be felt by many; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most warmly praise and commend Mr. Edgar Leon McGraw on his outstanding career as editor and head of the Department of Research Information of the Alabama Agricultural Experiment Station.

BE IT FURTHER RESOLVED, That Mr. and Mrs. McGraw receive a copy of this resolution in declaration of our sincere appreciation and regard and in expression of our warm best wishes for every future success.

On motion of Senator Little, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Smith (J) offered the following Senate Resolution, to-wit:

S. R. 24. REQUESTING AN ADVISORY OPINION OF THE JUSTICES RELATIVE TO SB 26 WHICH IS PENDING BEFORE THE 1983

SPECIAL LEGISLATIVE SESSION.

BE IT RESOLVED BY THE SENATE OF THE LEGISLATURE OF ALABAMA, That we do respectfully request the Honorable Chief Justice and Associate Justices of the Supreme Court, or a majority of them, to give this body their written opinions of the following important Constitutional question which has arisen concerning the pending S. B. 26 of the 1983 Special Session, which bill pertains to Reapportionment of the Legislature, copies of which are herewith attached.

1. Is the legislature in any way bound by the requirements of Sections 199 and 200 of the State Constitution, which sections relate to county boundary line preservation in designing representation districts for the legislature, in its present attempts via S. B. 26 to reapportion itself, particularly in view of the *Opinion of the Justices No. 184*, 278 Ala 412, 178 So 2d 641, rendered by the court on September 16, 1965, which stated, among other things, that the Federal Supreme Court "has ruled section 199 inoperative. . .?"

RESOLVED FURTHER, That the Secretary of the Senate is hereby directed to send sufficient copies of the pending S. B. 26, with attachments, to the Clerk of the Supreme Court of Alabama and to transmit this request to the Justices of the Supreme Court forthwith upon adoption of this Resolution.

Which was read and referred to the Standing Committee on Rules.

Senator Smith (J) then offered the following Senate Resolutions, to-wit:

S. R. 25. COMMENDING MR. JOHN A. CADDELL FOR MERITORIOUS SERVICE TO THE UNIVERSITY OF ALABAMA, TO HIS COMMUNITY AND TO THE BAR.

Also:

S. R. 26. MOURNING THE DEATH OF MR. WALTER W. DULANEY.

Also:

S. R. 27. COMMENDING MISS NANCY WEBSTER OF ATHENS, ALABAMA, DELEGATE TO THE NATIONAL 4-H CONGRESS.

Also:

S. R. 28. MOURNING THE DEATH OF MR. JACK GILES OF HUNTSVILLE, ALABAMA.

Also:

S. R. 29. COMMENDING ALABAMA A&M UNIVERSITY PRESIDENT, DR. R. D. MORRISON.

Also:

S. R. 30. COMMENDING MRS. MARTHA SIMMS OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Also:

S. R. 31. COMMENDING MRS. MAURICE E. DEAL FOR OUTSTANDING SERVICE TO THE HUNTSVILLE COMMUNITY.

Also:

S. R. 32. COMMENDING HUNTSVILLE CITY COUNCILMAN ERNEST CARL KAUFMANN, II.

Also:

S. R. 33. COMMENDING MR. CLARENCE B. NANCE FOR OUTSTANDING COMMUNITY SERVICE.

Also:

S. R. 34. COMMENDING MRS. LYL A McMULLEN FOR OUTSTANDING COMMUNITY SERVICE.

Also:

S. R. 35. COMMENDING MRS. SANDY SEAL POPE OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Also:

S. R. 36. COMMENDING MRS. JEAN D. BRALY OF ATHENS, ALABAMA, FOR OUTSTANDING SERVICE TO THE LIMESTONE COUNTY BOARD OF REGISTRARS AND TO THE COMMUNITY.

Also:

S. R. 37. COMMENDING MRS. LOUISE S. STEELE OF ATHENS, ALABAMA, FOR OUTSTANDING SERVICE TO THE LIMESTONE COUNTY BOARD OF REGISTRARS AND TO THE COMMUNITY.

Also:

S. R. 38. COMMENDING MRS. NANCY J. MAPLES OF ELKMONT, ALABAMA, FOR OUTSTANDING SERVICE TO THE LIMESTONE COUNTY BOARD OF REGISTRARS AND TO THE COMMUNITY.

Also:

S. R. 39. COMMENDING MISS MELISSA VAUGHN ERWIN OF MADISON COUNTY, ALABAMA'S MAID OF COTTON FOR 1983.

Which were adopted.

Senator Little offered the following Senate Resolutions, to-wit:

S. R. 40. SALUTING PROFESSOR GEORGIA VALLERY UPON HER RETIREMENT FROM THE AUBURN UNIVERSITY FACULTY.

Also:

S. R. 41. MOURNING THE DEATH OF MR. THOMAS J. BRAZEAL OF WEDOWEE, ALABAMA.

Also:

S. R. 42. COMMENDING GENERAL ROBERT DUANE KNAPP OF AUBURN, ALABAMA.

Also:

S. R. 43. HONORING MR. GRADY M. WAKEFIELD UPON HIS RECENT APPOINTMENT AS DISTRICT AGENT-COORDINATOR FOR THE ALABAMA COOPERATIVE EXTENSION SERVICE.

Which were adopted.

ADJOURNMENT

At 2:45 P.M., on motion of Senator Teague, the Senate adjourned until Thursday, January 27, 1983, at 11 o'clock A.M.

**THIRD LEGISLATIVE DAY
THURSDAY, JANUARY 27, 1983**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

PRAYER

The Session was opened with prayer by Mr. Doug Bush, Associate Minister, Highland Church of Christ at Carriage Hills, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Boyington	Foshee	Mitchell
Aldridge	Cabaniss	Goodwin	Mitchem
Amari	Cooley	Harrison	Parsons
Bachus	Corbett	Hilliard	Proctor
Bailey	Covington	Holmes	Robertson
Barron	deGraffenried	Keener	Smith (B)
Bedford	Denton	Kirkland	Smith (J)
Bedsole	Dixon	Little	Teague
Bishop	Figures	Menton	

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JOURNAL

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Second Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,
Chairperson.

COMMITTEE REPORT

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Second Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Senator deGraffenried, leave of absence was granted Senator Pearson for today.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint

Resolutions and returns same herewith to the Senate:

S. J. R. 1. ESTABLISHING LEGISLATIVE MEETING DAYS.

Also:

S. J. R. 2. COMMENDING FORMER ESCAMBIA COUNTY SHERIFF G. S. "SCOTTY" BYRNE.

Also:

S. J. R. 4. COMMENDING THE REVEREND JOHN H. JEFFERS, PASTOR OF THE FIRST BAPTIST CHURCH OF AUBURN, ALABAMA.

Also:

S. J. R. 6. MOURNING THE DEATH OF MR. CHARLES L. INGRAM OF LEE COUNTY, ALABAMA.

Also:

S. J. R. 16. HONORING GOVERNOR "FOB" JAMES.

Also:

S. J. R. 18. COMMENDING MISS POLLY HOLLIDAY.

Also:

S. J. R. 21. MOURNING THE DEATH OF MR. G. H. WRIGHT, FORMER LONGTIME MAYOR OF AUBURN, ALABAMA.

Also:

S. J. R. 22. COMMENDING MR. EUGENE C. GWALTNEY, JR., OF ALEXANDER CITY, ALABAMA, FOR OUTSTANDING ACCOMPLISHMENTS.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 7. MOURNING THE DEATH OF MR. JOSEPH WILSON SMITH OF PHENIX CITY, ALABAMA.

Also:

S. J. R. 23. HONORING MR. EDGAR LEON McGRAW UPON HIS RETIREMENT AS EDITOR AND HEAD OF THE DEPARTMENT OF RESEARCH INFORMATION OF THE ALABAMA AGRICULTURAL EXPERIMENT STATION.

JOHN W. PEMBERTON,
Clerk.

RESOLUTION

Senators deGraffenried, Aldridge, Amari, Bachus, Bailey, Barron, Bedford, Bedsole, Bishop, Boyington, Cabaniss, Cooley, Corbett, Covington, Denton, Dixon, Figures, Foshee, Goodwin, Harrison, Hilliard, Holmes,

Keener, Kirkland, Little, Menton, Mitchell, Mitchem, Parsons, Pearson, Proctor, Robertson, Smith (B), Smith (J), and Teague offered the following Senate Joint Resolution, to-wit:

S. J. R. 44. MOURNING THE DEATH OF ALABAMA'S BELOVED COACH PAUL WILLIAM BRYANT.

WHEREAS, even now in shock and though sorely bereft in grief, the Alabama Legislature must share its sorrow with all our state, the nation and the world in the death, January 26, 1983, of Paul William Bryant, legendary coach and mentor to a legion of young athletes; and as grown men weep, his loss to us all is mirrored in their tears; and

WHEREAS, though a native of Arkansas, Coach Bryant was truly a first citizen of Alabama where he was schooled, and from whence he journeyed to take his first step to the pinnacle of his profession; and

WHEREAS, Coach Bryant returned to his beloved Alma Mater as Head Football Coach for the University of Alabama Crimson Tide some twenty-five years ago; it was here, among family, friends and hero-worshippers, that Coach Paul "Bear" Bryant amassed the great majority of his great victories to establish his record as the winningest coach in college football history; and

WHEREAS, Coach Bryant was a man loved by all those whose lives he touched; a man greatly admired by his champions and rivals alike; and, above all, a man who epitomized a secret desire in us all—to succeed yet remain humble in achievement and to give so much, expecting so little in return; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Alabama's own Coach Paul William Bryant, expressing a desire that an appropriate period of mourning be observed throughout our state, in honor and loving memory of one whose singularity was in his capacity to give, and in a manner so free of vanity that it was a quality he never knew he possessed.

BE IT FURTHER RESOLVED, That copies of this resolution be provided for Coach Bryant's beloved wife, Mrs. Mary Harmon Bryant, and for their children and other family members for whom we are deeply concerned in their time of such great sorrow.

On motion of Senator deGraffenried, the Rules were suspended and the Resolution was adopted by the Senate.

INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senators Bailey, Parsons, and Smith (J):

S. 36. To repeal Section 19 of Act No. 82-561, S. 102, Regular Session 1982 (Acts 1982, p. 922), relating to the Alabama Life and Disability Insurance Guaranty Association Act, which section prohibits the use of advertising of the Life and Disability Insurance Guaranty Association for purposes of sales, solicitation, or inducement to purchase any form of insurance covered by said act.

Committee on Banking and Insurance.

By Senators Mitchem and Smith (B):

S. 37. To amend Section 24-1A-1 of the Code of Alabama 1975, relating to the legislative findings and declaration of purpose underlying Chapter 1A of Title 24 of the Code of Alabama 1975; and to amend Section 24-1A-2 of the Code of Alabama so as to amend the definition of "eligible housing unit" appearing in subsection 24-1A-2(5), to provide that eligible housing units may include multi-family dwelling units for occupancy by persons and families without restriction as to their income.

Committee on Finance and Taxation.

By Senator Parsons (With Notice and Proof):

S. 38. Relating to Jefferson County, City of Birmingham and the State of Alabama; providing further for an additional expense allowance of the two (2) Associate Board Members of the Jefferson County Board of Equalization and Adjustments, payable from the general funds of Jefferson County, from the general funds of the City of Birmingham and from the general funds of the State of Alabama; providing for an expiration date.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 38, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Parsons (With Notice and Proof):

S. 39. Relating to the Tenth Judicial Circuit of Alabama, including the Bessemer Division thereof; to provide that if a defendant in a criminal case enters a written plea of not guilty prior to his arraignment such plea shall constitute waiver of his right to have an arraignment at which he is present in person or represented by an attorney.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 39, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Barron:

S. 40. To prohibit certain high school officials from making payments to the Alabama High School Athletic Association if said association fails to recognize Paint Rock Valley High School in Jackson County for post-season athletic competition.

Committee on Education.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 6. DESIGNATING 1986 AS "THE LIGHTNING ROUTE CENTENNIAL YEAR" IN THE CITY OF MONTGOMERY, ALABAMA.

Also:

H. J. R. 14. COMMENDING MRS. FRANCES MIZELL FOR MERITORIOUS SERVICE TO AGRI-BUSINESS EDUCATION IN THE STATE OF ALABAMA.

Also:

H. J. R. 15. COMMENDING THE HOSTS OF THE LEGISLATIVE INAUGURAL PARTY.

Also:

H. J. R. 17. COMMENDING GOVERNOR GEORGE C. WALLACE, THE UNIVERSITY OF ALABAMA, THE ROCHESTER PRODUCTS DIVISION OF GENERAL MOTORS AND THE UNITED AUTO WORKERS UNION.

Also:

H. J. R. 18. MOURNING THE DEATH OF MR. CLIFTON T. McKINNIS OF MOBILE, ALABAMA.

Also:

H. J. R. 20. COMMENDING MISS SUSAN GLASGOW DUNCAN OF SYLACAUGA, 1983 ALABAMA TEXTILE QUEEN.

Also:

H. J. R. 21. EXTENDING BEST WISHES TO MRS. LULA TUBBS SHAW OF BIRMINGHAM, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Holley:

H. J. R. 24. CREATING AN INTERIM COMMITTEE ON FINANCES AND BUDGETS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created an Interim Committee on Finances and Budgets to meet during the interim periods between the regular sessions of the Legislature, during which periods the members, including ex officio members, shall each be entitled to, and shall receive, the same daily legislative compensation, expense allowances, per diem and other compensation which they receive while in legislative session, and in the same manner and under the same conditions as when they

meet in legislative session. Provided, however, that said committee shall not be paid for more than 30 calendar days in any single interim period. The compensation of Committee employees shall be paid as provided in Sections 29-1-9 and 29-1-10 of the Code of Alabama 1975. It shall be the duty of the committee to make a careful investigation and study of the financial condition of the state, hold budget hearings, inquire into ways and means of financing state government and its programs, and report its findings and recommendations as herein provided. The Committee shall be composed of nineteen members of the Committee on Finance and Taxation to be appointed by the Lieutenant Governor, the President Pro Tempore of the Senate, the Lieutenant Governor, and the members of the House Standing Committee on Ways and Means, the Speaker Pro Tempore of the House, and the Speaker of the House, and four additional members of the House to be appointed by the Speaker of the House of Representatives. The President and the President Pro Tempore of the Senate and the Speaker and the Speaker Pro Tempore of the House shall be Ex Officio voting members of the Committee.

The Chairman of the Senate Committee on Finance and Taxation and the Chairman of the House Ways and Means Committee shall be Co-Chairmen. The said Co-Chairmen shall set the schedule and program for committee work. The said Co-Chairmen shall fix the days and hours of meeting and conducting hearings and examining witnesses who appear before the Committee. The said Co-Chairmen may appoint subcommittees and invest them with such authority as may be deemed necessary to conduct the Committee's business and expedite its work. The Committee may employ such clerical and expert assistance as the Committee may find necessary in performing its duties.

All departments, boards, bureaus, commissions, agencies, offices and institutions of the state shall and are hereby directed to cooperate fully with the Committee and shall furnish any and all information that may be requested by the Committee.

BE IT FURTHER RESOLVED, That the final report of the Committee, along with findings and recommendations, shall be submitted to the Governor and to each member of the Legislature no later than the fifth legislative day of the regular session. Said Committee shall terminate November 1, 1986.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 24, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Turnham, Adams, Albright, Ashley, Bennett, Biddle, Blake, Blakeney Boles, Bowling, Box, Brakefield, Brooks, Browder, Bryant, Buskey, Butler, Campbell, Carothers, Carter, Casey, Clark, Clikas, Coburn, Coleman, Cosby, Crow, Davis, Drake, Drinkard, Dutton, Escott, Faulk, Flowers, Ford, Freeman, Gaston, Goodwin, Grimsley,

Grouby, Hall, Hammett, Harper, Harvey Hettinger, Holley, Holmes, Horn, Howard, Johnson (Al), Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Langford, Lauderdale, Layton, Lewis, McKee, McMillan, Manley, Martin, Mathis, Melton, Minus, Mitchell, Moore, Murphy, Nevett, Newman, Nicholson, Owens, Parker, Payne, Penry, Poole, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Scott, Seibels, Smith, Starkey, Starr, Stout, Thomas, Thornton, Trammell, Tucker, Turner, Venable, Waggoner, Warren, White (F), White (L), Williams, Wilson, Wright and Zoghby:

H. J. R. 26. COMMENDING THE FACULTY AND STAFF OF THE ALABAMA AGRICULTURAL EXPERIMENT STATION AND THE BOARD OF TRUSTEES OF AUBURN UNIVERSITY.

Also:

By Reps. Thomas, Adams, Albright, Ashley, Bennett, Biddle, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Brooks, Browder, Bryant, Buskey, Butler, Campbell, Carothers, Carter, Casey, Clark, Clikas, Coburn, Coleman, Cosby, Crow, Davis, Drake, Drinkard, Dutton, Escott, Faulk, Flowers, Ford, Freeman, Gaston, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Horn, Howard, Johnson (Al), Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Langford, Lauderdale, Layton, Lewis, McKee, McMillan, Manley, Martin, Mathis, Melton, Minus, Mitchell, Moore, Murphy, Nevett, Newman, Nicholson, Owens, Parker, Payne, Penry, Poole, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Scott, Seibels, Smith, Starkey, Starr, Stout, Thornton, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Warren, White (F), White (L), Williams, Wilson, Wright and Zoghby:

H. J. R. 27. MOURNING THE DEATH OF MR. JOHN BAUGH AND MR. WILLIE THOMPSON AND EXPRESSING CONCERN FOR THOSE INJURED AS A RESULT OF A WILCOX COUNTY INDUSTRIAL ACCIDENT.

Also:

By Rep. Rains:

H. J. R. 29. COMMENDING MR. VERLON WHITE OF GERALDINE, DEKALB COUNTY, ALABAMA.

Also:

By Rep. Rains:

H. J. R. 30. COMMENDING THE GERALDINE SIXTH GRADERS ON THEIR 50TH BASKETBALL VICTORY.

Also:

By Reps. White (L) and Turnham:

H. J. R. 31. COMMENDING FORMER TALLAPOOSA COUNTY SHERIFF JAMES T. FARROW.

Also:

By Rep. White (L):

H. J. R. 32. COMMENDING MR. AND MRS. ED WALLS ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

By Rep. Thornton:

H. J. R. 33. COMMENDING DR. CHARLES S. MURRY, ASSISTANT DEAN OF MILES COLLEGE SCHOOL OF LAW.

Also:

By Rep. Murphy:

H. J. R. 34. COMMENDING THE THOMPSON HIGH SCHOOL WARRIORS, ALABAMA'S STATE 3A FOOTBALL CHAMPIONS.

Also:

By Reps. Holmes and Reed:

H. J. R. 35. COMMENDING LIEUTENANT GOVERNOR GEORGE McMILLAN UPON THE CLOSE OF HIS DISTINGUISHED TENURE OF SENATE LEADERSHIP.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 26, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

On motion of Senator Mitchell, the Rules were suspended and the Resolution, H. J. R. 27, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

On motion of Senator deGraffenried, the Rules were suspended and the Resolution, H. J. R. 29, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

On motion of Senator Teague, the Rules were suspended and the Resolutions, H. J. R.'s 30, 31, 32, 33, 34, and 35, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Hammett (With Notice and Proof):

H. 35. To alter, rearrange and extend the boundary lines and corporate limits of the City of Florala in Covington County, Alabama, so as to include within the corporate limits of said city certain additional territory.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 35, as required in the general acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message

from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 35. to the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Carter, Butler, Thornton and Davis (With Notice and Proof):

H. 7. Relating to Limestone County; providing a supplement to the salary of each court reporter, payable from the county treasury.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 7, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Minus (With Notice and Proof):

H. 18. Relating to Sumter County; authorizing the tax collector to employ and pay certain clerks; providing for salaries; and repealing conflicting laws.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 18, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Minus (With Notice and Proof):

H. 19. To provide further for the circuit clerk in Sumter County, of the 17th Judicial Circuit; to provide for an expense allowance for such circuit clerk of the 17th Judicial Circuit to be paid from the general fund of Sumter County; and to repeal conflicting laws.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 19, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Minus (With Notice and Proof):

H. 20. Relating to Sumter County; providing that certain taxes heretofore levied on malt or brewed beverages in said county shall hereafter be administered by the judge of probate and prescribing a certain administration fee for said judge.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 20, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Minus (With Notice and Proof):

H. 21. Relating to Sumter County; prescribing certain guidelines for employing and compensating certain personnel in the sheriff's office in said county and providing that the salary of the sheriff's secretary shall be paid from the county general fund.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 21, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee as follows:

H. B.'s 7, 18, 19, 20, and 21. to the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Johnson (Roy), Drake, Holmes, Casey, Blake, Horn, Brakefield, Bennett, White (L), Coleman, Hall, Mitchell, Biddle, Smith, Langford, Rogers, Thornton, Davis, Mathis, Crow, Layton, Rice, Grimsley, Thomas and Johnson (Al):

H. 6. To amend Sections 36-17-8 and 36-17-10 of the Code of Alabama 1975, relating to the procedure for the treasurer in paying principal and interest on bonded indebtednesses and the payment on bonded indebtedness by the fiscal agent, so as to provide further for such procedure, the time-frame for the transfer of funds, and the bank designations; and to provide for certain exceptions as to existing bond debentures; to specifically repeal Sections 36-17-7 and 36-17-9 of the Code of Alabama 1975, relating to the designation of a fiscal agent for bond issue payments in only the city of New York and the method of sending money for payment of indebtedness to the fiscal agency in only such city.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 6. to the Committee on Finance and Taxation.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor.

Respectfully submitted,

ELVIN STANTON,
Executive Secretary.

Done this 27th day of January, 1983.

**STATE OF ALABAMA
GOVERNOR'S OFFICE
MONTGOMERY 36130**

JANUARY 27, 1983

The Senate of Alabama
State Capitol
Montgomery, Alabama

Governor Baxley, Lady and Gentlemen:

I recognize that you have worked expeditiously during this special session toward passage of legislation to meet the desperate needs of our state. I also recognize that a special session presents certain hardships and inconveniences on many of you. However, I know that you realize the urgency involved in this legislation, and I respectfully request that you meet continuously until the package of legislation that I presented to you is passed.

To do so would ensure that those elderly persons and others served by medicaid continue to remain in nursing homes and receive the health care necessary to sustain their very lives. Your continued action would also indicate to the people of this state your dedication to the duty and responsibility to which you were elected.

We also realize there are other matters of pressing importance for which you must be called back to address at a later date. Therefore, I call for your cooperation and personal sacrifice on behalf of the people of Alabama and urge you to remain in session through Saturday and pass these bills.

Sincerely yours,

GEORGE C. WALLACE

GOVERNOR'S MESSAGE

The foregoing Message from his Excellency, the Governor, was read and ordered spread upon the Journal.

RESOLUTION

Senator Teague offered the following Senate Joint Resolution, to-wit:

S. J. R. 45. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,

That, when the two houses adjourn today they adjourn to meet again

on Friday, January 28, 1983 and that when the two houses adjourn on Friday, January 28, 1983, they adjourn to meet again on Saturday, January 29, 1983.

Which was read and referred to the Standing Committee on Rules.

REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 45. RELATIVE TO MEETING DAYS.

Senator Cabaniss offered the following substitute for the Resolution, S. J. R. 45, to-wit:

SUBSTITUTE FOR S. J. R. 45

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when we adjourn on Thursday, January 27, 1983, we adjourn to meet again on Tuesday, February 1, 1983, at 1:30 p.m.

On motion of Senator Teague, said substitute was laid on the table.

Yeas 18; Nays 15.

Yeas:

Senators:	Corbett	Goodwin	Proctor	
Aldridge	Covington	Harrison	Robertson	
Bedford	Denton	Holmes	Smith (J)	
Bishop	Dixon	Keener	Teague	
Boyington	Foshee	Parsons		—18

Nays:

Senators:	Barron	deGraffenried	Menton	
Amari	Bedsole	Figures	Mitchell	
Bachus	Cabaniss	Hilliard	Mitchem	
Bailey	Cooley	Little	Smith (B)	—15

And on motion of Senator Teague, the Resolution, S. J. R. 45, was then adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Johnson (Roy), Drake, Casey, Blake, Brakefield, Bennett, White (L), Coleman, Mitchell, White (F), Smith, Venable, Biddle, Scott, Crow, Ashley, Mathis, Thornton, Davis, Layton, Rice, Hammett, Grimsley and Newman:

H. 5. To create a department of corrections headed by and under the direction, supervision and control of a commissioner of corrections and to provide for his appointment and term of office and compensation; to trans-

fer to the department all powers, authority and responsibilities which, prior to the enactment of sections 14-1-15 through 14-1-17, Code of Alabama 1975, as amended, were vested in the board of corrections and which by such statutes were transferred to the governor of the state of Alabama; to provide for the appointment of deputy commissioners by the commissioner to serve at his pleasure and to provide for their compensation, and to repeal conflicting laws and specific statutes pertaining to the governor and the former board of corrections and any inconsistencies contained in Title 14, Chapters 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 of the Code of Alabama 1975, as amended, which conflict with or are inconsistent with any provision of this act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 5. to the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Coburn, Turner, Drake, Mathis, Casey, Johnson (Roy), Smith, Bowling, Johnson (R.G.), Layton, Flowers, Owens, Richardson, Albright, Hall, Bennett, Martin, Sasser, Kennedy, Blake, White (L), Ashley, Mitchell, Crow, Langford, Thornton, Davis, Rice, Johnson (Al), Scott, Grimsley and Newman:

H. 4. To amend Section 40-5-36, Code of Alabama 1975, so as to require the tax collector of each county to report tax collections twice a month throughout the year.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 4. to the Committee on Governmental Affairs.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Minus (With Notice and Proof):

H. 22. Relating to Sumter County; authorizing the tax assessor to employ and pay certain clerks; providing for salaries; and repealing conflicting laws.

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I hereby certify that the Notice & Proof is attached to the Bill, H. B. 22, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Minus (With Notice and Proof):

H. 23. Relating to Sumter County; authorizing the judge of probate to employ and pay certain clerks; providing for salaries; and repealing conflicting laws.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 23, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 22 and 23. to the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Hammett (With Notice and Proof):

H. 36. Relating to Covington County; to authorize and provide for the establishment, maintenance, equipping, operation, and financing of public law libraries; to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within the county; and to repeal Act No. 1692, H. 2459, 1971 Regular Session, (Acts 1971, p. 2838).

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 36, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 36. to the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Holley, Holmes, Drake, Horn, Coburn, Casey, Johnson (Roy), Trammell, Johnson (R.G.), Minus, Crow, Campbell, White (F), Waggoner, Langford, Adams, Harvey, Martin, Coleman, Owens, Turnham, Mathis, Rice, Layton, Bryant, Zoghby, Kennedy, Harper, Hall, White (L), Bennett, Thornton, Davis, Ashley, Grimsley, Blake, Smith, Newman, Thomas, Rogers and Johnson (Al):

H. 2. To make an appropriation of Trust Income from the Alabama Heritage Trust Income Account to the Alabama Medicaid Agency for the ordinary expenses of state government for the fiscal year ending September 30, 1983.

Also:

By Reps. Holley, Holmes, Drake, Rogers, Casey, Horn, Coburn, Johnson (Roy), Mitchell, Trammell, Johnson (R.G.), Minus, Crow, Campbell, Layton, Adams, Martin, Coleman, Owens, Turnham, Rice, Mathis, Langford, Wilson, Zoghby, Kennedy, Harper, Clikas, White (L), Bennett, Hall, Smith, Thornton, Davis, Ashley, Grimsley, Blake, Newman, Thomas and Johnson (Al):

H. 3. To amend Section 41-14-34 of the Code of Alabama 1975 regarding payment of interest to the State.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B. 2. to the Committee on Finance and Taxation.

H. B. 3. to the Committee on Banking and Insurance.

RESOLUTIONS

The Standing Committee on Rules offered the following Senate Joint Resolution, to-wit:

S. R. 46. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the third legislative day of the 1983 First Special Session only:

BILL NO.	PAGE NO.	DESCRIPTION
SB 24	2	Privilege Tax & Royalty Tax, amended
SB 25	7	Interest Payment of State, amended
SB 23	4	Tax Collectors, report collections
SB 22	1	Treasurer, principle & int. paying proc.

SB 21	1	AL Heritage & Trust Income Acct. to Medicaid Agency
SB 2	4	Legislature, employ secretaries
SB 12	7	Warrants, Int. bearing, sell & issue
SB 18	4	State Auditor, assistants-clerical help
SB 3	8	Banks, open branches
SB 27	3	Alcoholic Beverages, Licensee resp.
SB 11	8	Notes, Bonds, Warrants, etc., issue w/o coupons
SB 8	9	Dept. of Air Transportation-Service, created
SB 17	5	State Auditor, expenses
SB 4	10	Comm. of Agri.-Indust., hire assistants
SB 13	8	Notes, bonds, warrants, etc., authenticated

On motion of Senator Teague, the Resolution was adopted by the Senate.

REPORTS OF COMMITTEES

Senator Mitchell, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Hilliard:

S. 34. To amend Section 11-47-15 of the Code of Alabama 1975 to extend to twenty-five miles, the distance within which any city or town may construct and maintain wharves and wharf sites and collect wharfage dues and other charges thereon and otherwise operate such facilities as authorized by said Section.

Senator deGraffenried, Chairperson of the Standing Committee on Constitutional Revision, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senators Mitchell and Little:

S. 28. To propose an amendment to Amendment No. 161 to the Constitution of Alabama of 1901, to increase the number of trustees of Auburn University and to provide for their appointment.

The above Bill was read a second time at length as required by the Constitution.

Senator Keener, Chairperson of the Standing Committee on Business and Labor Relations, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Parsons:

S. 20. To amend further sections 25-4-16 and 25-4-72, Code of Alabama 1975, as last amended, relating to unemployment compensation, so as

to increase the taxable wage base from \$6,600 to \$9,000 and to increase the individual weekly benefit amount in certain instances from \$90 to \$130.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Mitchell (With Notice and Proof):

S. 19. Relating to Wilcox County; to set the compensation for certain clerks in the probate judge's office; to provide for pay periods, source of funding and for retroactive effect.

Senator Parsons, Vice-Chairperson of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Parsons (With Notice and Proof):

S. 31. Relating to Jefferson County; providing further for an additional expense allowance of the Assistant Tax Assessor and Assistant Tax Collector, payable from the general fund of the county; providing for an expiration date.

By Senator Hilliard (With Notice and Proof):

S. 33. Relating to a Class 1 municipality, as defined by Section 11-40-12 of the Code of Alabama 1975, as amended, with a population of 300,000 or more inhabitants according to the 1970 or most recent census; authorizing any such municipality to create a municipal dormitory building and renovation authority; to authorize the Authority to acquire, construct and equip self-liquidating projects consisting of buildings for dormitories and renovation of existing buildings for dormitories for the University of Alabama in Birmingham; conferring powers and imposing duties on the Authority; providing for the appointment of members of the Authority; authorizing the issuance of revenue bonds of the Authority payable from the revenues, rents, repayment proceeds or purchase payments or other funds received by the Authority; authorizing the execution of trust and security instruments relating to the Authority's property to secure the payment of such revenue bonds; providing that no debt of the State or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this Act and no State or local public funds shall be appropriated for the use of the Authority created by this Act; making such revenue bonds issued under the provisions of this Act, their transfer and the income therefrom, shall at all times be free from taxation of every kind by the State and by political subdivisions of the State; and fixing the venue for jurisdiction of actions relating to any provisions of this Act.

By Senator Hilliard (With Notice and Proof):

S. 35. To authorize Class I cities to establish Enterprise Zones in areas of pervasive poverty, unemployment and economic distress and to carry out programs to encourage private investment and to create jobs in such areas, and to authorize agencies of such cities, the county governing body and state and county agencies to carry out similar programs in such Enterprise Zones, including, but not limited to, reduction of tax rates, license rates and fees, improvement of public services and reduction and modification of regulatory requirements within such zones, and to provide other services and

to modify other requirements as may be necessary or desirable to qualify for financial assistance to such Class I cities or private entities within such zones under any act of the Congress of the United States heretofore or hereafter enacted.

RESOLUTIONS

Senator Little offered the following Senate Resolutions, to-wit:

S. R. 47. CONGRATULATING MR. JIMMY THOMAS OF ALEXANDER CITY, ALABAMA.

Also:

S. R. 48. COMMENDING MRS. MARY EARNESTINE BROOKS OF AUBURN, ALABAMA.

Also:

S. R. 49. MOURNING THE DEATH OF MR. CHARLES L. BLACK OF PHENIX CITY, ALABAMA.

Which were adopted.

RECESS

At 12:15 P.M., on motion of Senator Teague, the Senate took a recess until 1:15 P.M.

The recess period having expired, the Senate was called to order by Lieutenant Governor Baxley. A quorum of the Senate was present.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 27. MOURNING THE DEATH OF MR. JOHN BAUGH AND MR. WILLIE THOMPSON AND EXPRESSING CONCERN FOR THOSE INJURED AS A RESULT OF A WILCOX COUNTY INDUSTRIAL ACCIDENT.

Also:

H. J. R. 29. COMMENDING MR. VERLON WHITE OF GERALDINE, DeKALB COUNTY, ALABAMA.

Also:

H. J. R. 30. COMMENDING THE GERALDINE SIXTH GRADERS ON THEIR 50th BASKETBALL VICTORY.

Also:

H. J. R. 31. COMMENDING FORMER TALLAPOOSA COUNTY SHERIFF JAMES T. FARROW.

Also:

H. J. R. 32. COMMENDING MR. AND MRS. ED WALLS ON THE OCCASION OF THEIR 50th WEDDING ANNIVERSARY.

Also:

H. J. R. 33. COMMENDING DR. CHARLES S. MURRY, ASSIS-

TANT DEAN OF MILES COLLEGE SCHOOL OF LAW.

Also:

H. J. R. 34. COMMENDING THE THOMPSON HIGH SCHOOL WARRIORS, ALABAMA'S STATE 3A FOOTBALL CHAMPIONS.

Also:

H. J. R. 35. COMMENDING LIEUTENANT GOVERNOR GEORGE McMILLAN UPON THE CLOSE OF HIS DISTINGUISHED TENURE OF SENATE LEADERSHIP.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

SPECIAL ORDER

BILLS ON THIRD READING

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

S. 24. To amend 1975 Code of Alabama, § 40-20-2, so as to delete certain exemptions and provide an eight (two percent additional) percent statewide production privilege tax and to rescind royalty owners tax exemptions so that contracts will not be impaired, and to provide an effective date.

On motion of Senator Goodwin, further consideration of the Bill, S. B. 24, was postponed temporarily.

The Bill:

S. 25. To amend Section 41-14-34 of the Code of Alabama 1975 regarding payment of interest to the State.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Senators:
Aldridge
Bachus
Bailey
Bedford
Bedsole
Bishop
Boyington

Cabaniss
Corbett
Covington
deGraffenried
Denton
Dixon
Figures
Foshee

Goodwin
Harrison
Holmes
Keener
Kirkland
Little
Menton
Mitchell

Mitchem
Parsons
Proctor
Robertson
Smith (B)
Smith (J)
Teague

Nays:

—0

The Bill:

S. 23. To amend Section 40-5-36, Code of Alabama 1975, so as to require the tax collector of each county to report tax collections twice a month throughout the year.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 31; Nays 0.

Yeas:

Senators:	Boyington	Foshee	Mitchell	
Aldridge	Cabaniss	Goodwin	Mitchem	
Bachus	Corbett	Harrison	Parsons	
Bailey	Covington	Holmes	Proctor	
Barron	deGraffenried	Keener	Robertson	
Bedford	Denton	Kirkland	Smith (B)	
Bedsole	Dixon	Little	Smith (J)	
Bishop	Figures	Menton	Teague	—31

Nays:

—0

The Bill:

S. 22. To amend Sections 36-17-8 and 36-17-10 of the Code of Alabama 1975, relating to the procedure for the treasurer in paying principal and interest on bonded indebtednesses and the payment on bonded indebtedness by the fiscal agent, so as to provide further for such procedure, the time-frame for the transfer of funds, and the bank designations; and to provide for certain exceptions as to existing bond debentures; to specifically repeal Sections 36-17-7 and 36-17-9 of the Code of Alabama 1975, relating to the designation of a fiscal agent for bond issue payments in only the city of New York and the method of sending money for payment of indebtedness to the fiscal agency in only such city.

was taken up.

Senator Goodwin offered the following amendment to the Bill, S. B. 22, to-wit:

AMENDMENT TO S. B. 22

Senate Bill 22 is hereby amended in the following respects:

Section 1, (b) In its entirety is deleted and substituted therefore shall be the following wording;

“(b) not more than 15 business days before the actual due date of principal and interest, the treasurer shall remit to the fiscal agent, by wire transfer or draft, the total amount of principal, interest, and expenses of the fiscal agent, due on said bonds.”

Section 1, (c) Is hereby amended by deleting the entire subparagraph (c) and by substituting therefore with the following subparagraph (c);

“(c) for the purpose of paying principal and interest on any issues of funded indebtedness, the treasurer with the written consent of the Governor, shall designate no more than two banks, one or more within the State of Alabama and, if necessary one which may be from outside the State of Alabama.”

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Which was adopted.

Yeas 30; Nays 0.

Yeas:

Senators:	Cooley	Goodwin	Mitchem	
Aldridge	Corbett	Harrison	Parsons	
Bailey	Covington	Holmes	Proctor	
Bedford	deGraffenried	Keener	Robertson	
Bedsole	Denton	Kirkland	Smith (B)	
Bishop	Dixon	Little	Smith (J)	
Boyington	Figures	Menton	Teague	
Cabaniss	Foshee	Mitchell		—30

Nays: —0

On motion of Senator Goodwin, further consideration of the Bill, S. B. 22, as thus amended, was postponed temporarily.

The Bill:

S. 21. To make an appropriation of Trust Income from the Alabama Heritage Trust Income Account to the Alabama Medicaid Agency for the ordinary expenses of state government for the fiscal year ending September 30, 1983.

was taken up.

**REPORT OF
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 2. COMMENDING FORMER ESCAMBIA COUNTY SHERIFF G. S. "SCOTTY" BYRNE.

Also:

S. J. R. 4. COMMENDING THE REVEREND JOHN H. JEFFERS, PASTOR OF THE FIRST BAPTIST CHURCH OF AUBURN, ALABAMA.

Also:

S. J. R. 6. MOURNING THE DEATH OF MR. CHARLES L. INGRAM OF LEE COUNTY, ALABAMA.

Also:

S. J. R. 7. MOURNING THE DEATH OF MR. JOSEPH WILSON SMITH OF PHENIX CITY, ALABAMA.

Also:

S. J. R. 16. HONORING GOVERNOR "FOB" JAMES.

Also:

S. J. R. 18. COMMENDING MISS POLLY HOLLIDAY.

Also:

S. J. R. 21. MOURNING THE DEATH OF MR. G. H. WRIGHT, FORMER LONGTIME MAYOR OF AUBURN, ALABAMA.

Also:

S. J. R. 22. COMMENDING MR. EUGENE C. GWALTNEY, JR., OF ALEXANDER CITY, ALABAMA, FOR OUTSTANDING ACCOMPLISHMENTS.

Also:

S. J. R. 23. HONORING MR. EDGAR LEON MCGRAW UPON HIS RETIREMENT AS EDITOR AND HEAD OF THE DEPARTMENT OF RESEARCH INFORMATION OF THE ALABAMA AGRICULTURAL EXPERIMENT STATION.

CHARLES BISHOP,
Chairperson.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 44. MOURNING THE DEATH OF ALABAMA'S BELOVED COACH PAUL WILLIAM BRYANT.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF S. B. 21

The Senate proceeded to further consideration of the Bill, S. B. 21.

And said Bill, S. B. 21, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 5.

Yeas:

Senators:	Cabaniss	Goodwin	Mitchell
Bachus	Cooley	Harrison	Michem
Bailey	Corbett	Holmes	Parsons
Barron	Covington	Keener	Robertson
Bedford	Denton	Kirkland	Smith (B)
Bedsale	Figures	Little	Smith (J)
Bishop	Foshee	Menton	Teague

Nays:

Senators:	deGraffenried	Hilliard	Proctor	
Boyington	Dixon			—5

FURTHER CONSIDERATION OF S. B. 24

The Senate proceeded to further consideration of the Bill, S. B. 24.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, S. B. 24, to-wit:

COMMITTEE AMENDMENT TO S. B. 24

Amend Senate Bill 24, page 1, after the words "State General Fund", to include the following:

"All wells producing less than 40 barrels of oil per day shall be taxed at the rate of four percent of the gross value of said oil or gas at the point of production."

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Mitchell	
Amari	Cooley	Harrison	Mitchem	
Bachus	Corbett	Holmes	Parsons	
Bailey	Covington	Keener	Proctor	
Barron	deGraffenried	Kirkland	Smith (B)	
Bedsole	Denton	Little	Smith (J)	
Bishop	Dixon	Menton	Teague	
Boyington	Figures			—29

Nays: —0

On motion of Senator Goodwin, further consideration of the Bill, S. B. 24, as amended, was postponed temporarily.

FURTHER CONSIDERATION OF S. B. 22

The Senate proceeded to further consideration of the Bill, S. B. 22, as amended.

Senator Goodwin offered the following amendment to the Bill, S. B. 22, as amended, to-wit:

AMENDMENT NO. 2 TO S. B. 22, AS AMENDED

Further amend S. B. 22 as follows:

In the synopsis on line 19 add an "s" to the word "agent" and strike the following words:

"in only the city of New York"

On page 1 on line 35 strike the following words

"in only the city of New York"

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Senators:	Bishop	Goodwin	Mitchell
Aldridge	Cabaniss	Harrison	Parsons
Amari	Cooley	Hilliard	Proctor
Bachus	Corbett	Holmes	Robertson
Bailey	Covington	Keener	Smith (B)
Barron	deGraffenried	Kirkland	Smith (J)
Bedford	Denton	Little	Teague
Bedsole	Dixon	Menton	
			—30

Nays: —0

And said Bill, S. B. 22, as amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 31; Nays 1.

Yeas:

Senators:	Boyington	Foshee	Mitchell
Aldridge	Cabaniss	Goodwin	Mitchem
Amari	Cooley	Harrison	Parsons
Bachus	Corbett	Holmes	Proctor
Bailey	deGraffenried	Keener	Robertson
Barron	Denton	Kirkland	Smith (B)
Bedford	Dixon	Little	Smith (J)
Bedsole	Figures	Menton	Teague
			—31

Nay:

Senator: Hilliard —1

FURTHER CONSIDERATION OF S. B. 24

The Senate proceeded to further consideration of the Bill, S. B. 24, as amended.

On motion of Senator Keener, further consideration of the Bill, S. B. 24, as amended, was postponed temporarily as Unfinished Business.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Casey, Drake, Holmes, Coburn, Holley, Johnson (Roy), Preuit, Trammell, Blake, White (L), White (F), Browder, Langford, Adams, Bowling, Layton, Harvey, Martin, Coleman, Horn, Rogers, Mathis, Mitchell, Thornton, Davis, Ashley, Grimsley, Smith, Crow, Thomas, Johnson (Al) and Rice:

H. 1. To amend Code of Alabama 1975, §§ 40-20-2 and 40-20-8, so as to delete certain exemptions and provide an eight (two percent additional) percent statewide production privilege tax and to rescind royalty owners tax exemptions so that contracts will not be impaired, to amend the allocation and distribution formula, and to provide an effective date.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1. to the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends herewith to the Senate for its consideration:

By Reps. Johnson (Roy), Drake, Adams, Albright, Ashley, Bennett, Biddle, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Brooks, Browder, Bryant, Buskey, Butler, Campbell, Carothers, Carter, Casey, Clark, Clikas, Coburn, Coleman, Cosby, Crow, Davis, Drinkard, Dutton, Escott, Faulk, Flowers, Ford, Freeman, Gaston, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Horn, Howard, Johnson (Al), Johnson (R.G.), Junkins, Kennedy, Kvalheim, Laird, Langford, Lauderdale, Layton, Lewis, McKee, McMillan, Manley, Martin, Mathis, Melton, Minus, Mitchell, Moore, Murphy, Nevett, Newman, Nicholson, Owens, Parker, Payne, Penry, Poole, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Scott, Seibels, Smith, Starkey, Starr, Stout, Thomas, Thornton, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Warren, White (F), White (L), Williams, Wilson, Wright and Zoghby:

H. J. R. 36. MOURNING THE DEATH OF ALABAMA'S BE-LOVED COACH PAUL WILLIAM BRYANT.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator deGraffenried, the Rules were suspended and the Resolution, H. J. R. 36, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Turner, Clikas, Harper, Gaston, Kvalheim, Clark, Buskey, Kennedy, Zoghby and Box:

H. J. R. 12. CREATING AN INTERIM LEGISLATIVE COMMITTEE TO ASSESS THE IMPACT OF THE COMPLETION OF THE TENNESSEE-TOMBIGBEE WATERWAY.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim committee to be composed of four members of the House of Representatives to be appointed by the Speaker and four members of the Senate to be appointed by the Lieutenant Governor. The committee shall study all aspects of the impending completion of the Tennessee-Tombigbee Waterway including the impact that its completion shall have on the State of

Alabama. The chairman and vice chairman of the committee shall be elected at the first meeting by the members of the committee.

Upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. Each member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the Legislature, upon warrants drawn on the state comptroller upon requisitions signed by the committee's chairman; provided, however, that members shall not receive additional legislative compensation or per diem when the Legislature is in session or if a member is being paid any other payments on the same dates for attendance of other state business. The total of such expenses shall not exceed \$7,000.00.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 12, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 45. RELATIVE TO CONVENING ON FRIDAY, JANUARY 28, 1983 AND SATURDAY, JANUARY 29, 1983.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Wilson, Langford, Starr, McKee, Thomas and Holmes:

H. J. R. 38. COMMENDING MRS. PAULINE C. EUBANKS FOR MERITORIOUS SERVICE TO MONTGOMERY COUNTY, ALABAMA, AND OUR STATE.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Teague, the Rules were suspended and the Resolution, H. J. R. 38, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTION

Senators Parsons, Hilliard, Cabaniss, Bachus, Amari, and Bishop offered the following Senate Resolution, to-wit:

S. R. 50. COMMENDING SOUTH CENTRAL BELL FOR LOCAT-

ING A NEW REGIONAL SERVICE COMPANY IN BIRMINGHAM.

Which was adopted.

REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 19. URGING THE ALABAMA DEPARTMENT OF INDUSTRIAL RELATIONS TO RECONSIDER THE RELOCATION OF THE MOBILE LOCAL STATE EMPLOYMENT SERVICE AND UNEMPLOYMENT COMPENSATION OFFICE TO AN INACCESSIBLE LOCATION ON SPRINGHILL AVENUE.

On motion of Senator Bedsole, the Resolution was then concurred in and adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 7. COMMENDING COACH PAUL W. BRYANT OF THE UNIVERSITY OF ALABAMA.

Also:

H. J. R. 10. REGARDING THE RETENTION OF GOVERNOR GEORGE C. WALLACE'S PORTRAIT IN THE STATE CAPITOL ROTUNDA.

Also:

H. J. R. 8. ENCOURAGING ALABAMA'S CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION IN THE AREAS OF NATIONAL DEFENSE AND SOCIO-ECONOMICS.

On motion of Senator Teague, the Resolutions were then concurred in and adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 20. COMMENDING COACH PAT DYE AND THE AUBURN UNIVERSITY TIGERS.

On motion of Senator Little, the Resolution was then adopted by the Senate.

RESOLUTION

Senator Holmes offered the following Senate Joint Resolution, to-wit:

S. J. R. 51. CREATING A JOINT INTERIM COMMITTEE TO STUDY SMALL BUSINESS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim legislative committee to be composed of three members of the Sen-

ate, appointed by the presiding officer and three members of the House of Representatives, appointed by the Speaker. The committee shall study all aspects of the problems facing small business, including any recommendations in the area of assistance. The chairman and vice chairman of the committee shall be elected at the first meeting by the members of the committee.

BE IT FURTHER RESOLVED, That upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. Each member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee, which shall be paid out of any funds appropriated to the use of the legislature, upon warrants drawn on the state comptroller upon requisitions signed by the committee's chairman. Total expenditures of the committee shall not exceed \$4,200.00.

On motion of Senator Holmes, the Rules were suspended and the Resolution was adopted by the Senate.

RECESS

At 3:15 P.M., on motion of Senator Smith (J), the Senate took a recess until 3:30 P.M.

The recess period having expired, the Senate was called to order by Lieutenant Governor Baxley. A quorum of the Senate was present.

RESOLUTIONS

Senator Little offered the following Senate Joint Resolution, to-wit:

S. J. R. 52. RECOMMENDING TO THE AUBURN UNIVERSITY BOARD OF TRUSTEES THAT THE NEW STUDENT ACTIVITIES BUILDING ON THE AUBURN UNIVERSITY CAMPUS BE NAMED.

WHEREAS, Coach Claude V. Saia of Auburn University has distinguished himself in his many years of service to that institution and her students, faculty, and staff, by promoting quality athletic programs on both the varsity and intramural levels, and

WHEREAS, through Coach Saia's commitment and dedication, Auburn University has achieved national prominence because of the exceptional quality of its athletic programs, and

WHEREAS, Coach Saia is currently the Director of these outstanding intramural programs at Auburn, and

WHEREAS, a new intramural student activity building will soon be completed on the Auburn University campus, to be used for the promotion of good physical and mental health and well-being by the students, faculty and staff of Auburn University, and

WHEREAS, this new activity building represents the culmination of years of work by Coach Saia and his staffs to further promote a better quality of life for Auburn University students, and

WHEREAS, Auburn University students in 1979 voted upon themselves a quarterly assessment towards the payment of this building, taking pride themselves in the accomplishment that this would bring forth for present and future generations of fellow students, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the Auburn University Board of Trustees, after requesting input and suggestions from the Student Government Association of Auburn University, develop an appropriate name for the student activity building, keeping in mind the many contributions that Claude V. Saia has made, that his staff has made, and that indeed the Auburn Student Body has made in this monumental happening.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the Auburn University Board of Trustees, to the Student Government Association of Auburn University, and to Coach Claude V. Saia.

On motion of Senator Little, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Hilliard offered the following Senate Joint Resolution, to-wit:

S. J. R. 53. ENCOURAGING THE STATE OF ALABAMA HIGHWAY DEPARTMENT TO PLACE FOOD AND BEVERAGE VENDING MACHINES IN ALL REST STOP FACILITIES OPERATED BY THE STATE OF ALABAMA LOCATED ON THE INTERSTATE FREEWAYS WITHIN ALABAMA.

WHEREAS, the State of Alabama is nearing completion of the interstate freeway system within the State and, as such, citizens of this State and all visitors to Alabama will be able to drive great distances on the interstates without interruption; and,

WHEREAS, the State of Alabama now operates numerous "Rest Stop" facilities staffed by individuals employed by the Highway Department throughout Alabama; and,

WHEREAS, since Alabama is a state blessed with many beautiful scenic spots of natural beauty as well as other locations of historical interest and importance which cause our citizens and thousands of visitors to travel throughout our State; and,

WHEREAS, Alabama has been actively promoted through its "ALABAMA THE BEAUTIFUL" campaign and will no doubt welcome many visitors through Alabama in the years to come; and,

WHEREAS, Alabama also temporarily welcomes visitors driving through our State to our Gulf beaches and those in Northwest Florida; and,

WHEREAS, it can be expected that thousands, perhaps millions, of tourists, may travel through Alabama to New Orleans for the 1984 World's Fair in the next two years; and,

WHEREAS, it can be reasonably expected that the successful operation of vending machines placed in each of the "Rest Stops" and "Welcome Centers" located throughout Alabama, offering for sale food, beverages, and other small amenities of convenience to the interstate traveler, will necessarily result in additional income to the Highway Department, and, moreover, will undoubtedly reap additional benefits for the tourist industry as travelers will find it more convenient to travel through Alabama and will be favorably disposed to stay longer in Alabama and return again to spend more of their money in Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby encourage and request that those officials of the Highway Department properly charged with the operation and maintenance of the interstate "Rest Stop" facilities lo-

cated within Alabama, undertake an immediate examination as to why vending machines as discussed above have not been previously placed in Alabama, and further explore the feasibility of placing such machines at all interstate "Rest Stops" located in Alabama, including an approximation of all costs involved and a projection of income to be gained from the reasonable use of such machines.

BE IT FURTHER RESOLVED That a copy of this resolution be forwarded to Governor Wallace after his inauguration, and also to Ray Bass and Mack Roberts after they assume their respective positions of Highway Director and Assistant Highway Director, and further, that the Highway Director forward to the President of the Senate and the Speaker of the House after a reasonable time, a written report addressing the questions raised herein.

On motion of Senator Hilliard, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Robertson offered the following Senate Joint Resolution, to-wit:

S. J. R. 54. ENCOURAGING OUR CITIZENS TO SUPPORT THE ECONOMY OF ALABAMA AND THE NATION THROUGH THEIR PURCHASE AND USE OF AMERICAN-MADE GOODS.

WHEREAS, the economic well-being of our state and nation is both directly and adversely affected by the purchase and use of foreign-made products and goods; and

WHEREAS, numerous of our domestic manufacturers are being forced to close their plants because of foreign competition, resulting in more and more unemployment to the detriment of the economy of entire areas; and

WHEREAS, regrettably, the citizens of Alabama and the entire United States have continued, increasingly, to purchase foreign-made products despite the drastic economic consequences of such actions, and despite the fact that these products are inferior in quality and safety to our domestic products; and

WHEREAS, in light of the drastic and continued decline of our economy, directly related to increased imports, it is more imperative than ever before, that the American people define their loyalties through positive and corrective action; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in repetitive appeal for the support of the entire State of Alabama to further our own economic interests and protect the well-being of all our citizens, we hereby urge that Alabama set an example for the nation by buying and using only American-made products and goods.

BE IT FURTHER RESOLVED, That the officials of all Alabama municipalities and counties give their support to this resolution through public encouragement of loyalty to our domestic manufacturers.

On motion of Senator Robertson, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 2. To further provide for each presiding officer of the House and Senate to employ additional secretaries and provide for their compensation, benefits and regulation.

was taken up.

Senator Denton offered the following substitute for the Bill, S. B. 2, to-wit:

SUBSTITUTE FOR S. B. 2

**A BILL
TO BE ENTITLED
AN ACT**

To authorize the Clerk of the House of Representatives, the Speaker of the House, and the Secretary of the Senate to employ additional secretaries; and to provide for their compensation, benefits and regulation.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to the employees now provided by law, the Secretary of the Senate shall be authorized to employ and assign two secretarial employees on a full-time basis, and the Clerk of the House and the Speaker of the House shall be authorized to employ one secretarial employee each on a full-time basis. The compensation and benefits shall be the same as provided for other House and Senate employees similarly employed, and they shall be regulated and paid in the same manner.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 15; Nays 3.

Yeas:

Senators:	Cooley	Keener	Proctor	
Amari	Denton	Little	Robertson	
Bailey	Dixon	Mitchell	Smith (J)	
Barron	Foshee	Parsons	Teague	—15

Nays:

Senators:	Goodwin	Hilliard	Kirkland	—3
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Senator Foshee offered the following amendment to the Bill, S. B. 2, as amended by the substitute, to-wit:

AMENDMENT TO S. B. 2, AS AMENDED

In Section 1, on line 27, delete the word "two", and insert in lieu thereof:

"three"

Senator Denton moved that said amendment be laid on the table, which motion was lost.

Yeas 9; Nays 19.

Yeas:

Senators:	Bishop	Menton	Mitchem	
Barron	Denton	Mitchell	Smith (J)	
Bedsole	Dixon			—9

Nays:

Senators:	Corbett	Harrison	Little	
Aldridge	Covington	Hilliard	Parsons	
Bachus	deGraffenried	Holmes	Proctor	
Bailey	Foshee	Keener	Smith (B)	
Cabaniss	Goodwin	Kirkland	Teague	—19

And said amendment to the Bill, S. B. 2, as amended, was then adopted by the Senate.

Yeas 21; Nays 4.

Yeas:

Senators:	Cooley	Foshee	Mitchell	
Bachus	Corbett	Goodwin	Mitchem	
Bailey	Covington	Holmes	Parsons	
Barron	deGraffenried	Keener	Proctor	
Bedsole	Dixon	Kirkland	Smith (B)	
Cabaniss	Figures			—21

Nays:

Senators:	Hilliard	Little	Smith (J)	
Denton				—4

Senator Kirkland offered the following amendment to the Bill, S. B. 2, as amended, to-wit:

AMENDMENT TO S. B. 2, AS AMENDED

In Section 1, on line 27, delete the word "three", and insert in lieu thereof: "six"

Which was adopted.

Yeas 16; Nays 12.

Yeas:

Senators:	deGraffenried	Hilliard	Parsons	
Bedsole	Figures	Holmes	Proctor	
Cabaniss	Foshee	Keener	Smith (B)	
Cooley	Goodwin	Kirkland	Teague	
Covington				—16

Nays:

Senators:	Barron	Dixon	Mitchell	
Amari	Boyington	Harrison	Robertson	
Bachus	Denton	Little	Smith (J)	
Bailey				—12

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Senator Keener moved that the Bill, S. B. 2, as amended, be re-committed to the Standing Committee on Finance and Taxation, which motion was lost.

Yeas 8; Nays 17.

Yeas:

Senators:	Covington	Figures	Kirkland
Boyington	deGraffenried	Keener	Parsons
Cabaniss			

—8

Nays:

Senators:	Cooley	Harrison	Proctor
Amari	Corbett	Holmes	Smith (B)
Bachus	Denton	Little	Smith (J)
Barron	Dixon	Mitchell	Teague
Bedsole	Foshee		

—17

And said Bill, S. B. 2, as amended by the substitute, as amended, was read a third time at length and lost for failure to receive a Constitutional majority.

Yeas 14; Nays 11.

Yeas:

Senators:	Dixon	Keener	Smith (B)
Bedsole	Foshee	Kirkland	Smith (J)
Covington	Harrison	Mitchell	Teague
Denton	Holmes	Proctor	

—14

Nays:

Senators:	Barron	Corbett	Hilliard
Bachus	Boyington	deGraffenried	Little
Bailey	Cabaniss	Figures	Robertson

—11

The Bill:

S. 12. To authorize each county in this state to sell and issue from time to time interest-bearing warrants for the purpose of paying costs of erecting necessary public buildings, bridges and roads in such county, and acquiring land therefor; to provide that such warrants shall evidence general obligation indebtedness of the county; to provide that such warrants may, at the discretion of the governing body of the county, be additionally secured by a pledge or pledges of the proceeds from certain taxes; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; to provide that such warrants shall be legal investments for fiduciaries; and to provide that the issuance of any warrants and any interest coupons applicable thereto shall constitute the audit and allowance of claims against the issuing county and any tax proceeds and revenues, or either, pledged to the payment thereof.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Mitchell	
Amari	Cooley	Harrison	Mitchem	
Bachus	Corbett	Hilliard	Proctor	
Bailey	Covington	Holmes	Robertson	
Barron	deGraffenried	Keener	Smith (B)	
Bedsole	Dixon	Kirkland	Smith (J)	
Bishop	Figures	Little	Teague	
Boyington				—28

Nays: —0

The Bill:

S. 18. To amend Section 36-16-3, Code of Alabama 1975, which provides for assistants and clerical help of the state auditor, so as to provide further for technical assistance for said officer.

was taken up.

Senator Little offered the following amendment to the Bill, S. B. 18, to-wit:

AMENDMENT TO S. B. 18

Amend Senate Bill No. 18 Page 1, by inserting a Section 2 to read as follows:

Section 2. No created assistantship under the provisions of this enactment shall be privileged to enroll in the Alabama Retirement System.

Which was adopted.

Yeas 18; Nays 7.

Yeas:

Senators:	Barron	Dixon	Little	
Aldridge	Boyington	Harrison	Mitchell	
Amari	Cabaniss	Holmes	Mitchem	
Bachus	Covington	Keener	Teague	
Bailey	deGraffenried	Kirkland		—18

Nays:

Senators:	Corbett	Hilliard	Proctor	
Cooley	Figures	Parsons	Smith (B)	—7

Senator Little moved that said Bill, S. B. 18, as amended, be postponed temporarily.

Senator Mitchell moved that the motion to postpone be laid on the table, which motion was lost.

Yeas 13; Nays 17.

Yeas:

Senators:	Foshee	Mitchell	Robertson	
Aldridge	Harrison	Mitchem	Smith (B)	
Corbett	Hilliard	Proctor	Smith (J)	
Denton	Kirkland			—13

Nays:

Senators:	Bedsole	deGraffenried	Keener	
Amari	Boyington	Dixon	Little	
Bachus	Cabaniss	Figures	Parsons	
Bailey	Cooley	Holmes	Teague	
Bedford	Covington			—17

Senator Dixon offered a substitute motion that the Bill, S. B. 18, be indefinitely postponed, which motion was lost.

Yeas 6; Nays 23.

Yeas:

Senators:	Bedsole	Cabaniss	Parsons	
Bachus	Boyington	Dixon		—6

Nays:

Senators:	Cooley	Harrison	Mitchell	
Aldridge	Corbett	Hilliard	Proctor	
Amari	deGraffenried	Holmes	Robertson	
Bailey	Denton	Keener	Smith (B)	
Barron	Figures	Kirkland	Smith (J)	
Bishop	Foshee	Little	Teague	—23

The question then recurred on the motion of Senator Little that the Bill, S. B. 18, as amended, be postponed temporarily, which motion was lost.

Senator Harrison offered the following amendment to the Bill, S. B. 18, as amended, to-wit:

AMENDMENT TO S. B. 18, AS AMENDED

Amend Senate Bill No. 18 Page 1 Line 28, by striking out the word "three" and inserting in lieu thereof the word "one"; and on line 29 by striking out the word "assistants" and inserting in lieu thereof the word "assistant"; and on line 30 by striking out the word "employees" and inserting in lieu thereof the word "employee."

On motion of Senator Mitchell, said amendment was laid on the table.

Senator Little moved that the Bill, S. B. 18, be re-committed to the Standing Committee on Finance and Taxation, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bills, S. B.'s 18 and 4, re-committed to the Standing Committee on Finance and Taxation.

The Bill:

S. 3. To amend Code of Alabama 1975, Section 5-5A-20, so as to provide that the Superintendent of Banks may authorize the opening of a branch in any county if the Superintendent of Banks deems it necessary to protect the public where any bank, state or national, has been closed, is in danger of closing, or otherwise is involved in severe financial condition threatening the stability of a significant number of banks or banks possessing significant financial resources.

was taken up.

Senator Denton offered the following amendment to the Bill, S. B. 3, to-wit:

AMENDMENT TO S. B. 3

Amend S. B. 3 on page 2, line 14, by striking the period after the word "resources" and adding the following words: "if the bank opening such branch purchases certain assets and assumes the deposit liabilities of the closed or endangered bank".

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Mitchem	
Aldridge	Boyington	Hilliard	Parsons	
Amari	Cabaniss	Holmes	Proctor	
Bachus	Corbett	Keener	Robertson	
Bailey	Covington	Kirkland	Smith (B)	
Barron	deGraffenried	Little	Smith (J)	
Bedsole	Denton	Mitchell	Teague	—27

Nays: —0

And said Bill, S. B. 3, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Parsons	
Amari	Corbett	Hilliard	Proctor	
Bachus	Covington	Keener	Robertson	
Bailey	deGraffenried	Kirkland	Smith (B)	
Barron	Denton	Little	Smith (J)	
Bedsole	Dixon	Mitchell	Teague	
Boyington	Figures			—25

Nays: —0

The Bill:

S. 27. To amend the Alcoholic Beverage Licensing Code (§ 28-3A-25) so as to include certain offenses in the proscribed unlawful acts and offenses.

was taken up.

On motion of Senator Keener, further consideration of the Bill, S. B. 27, was postponed temporarily.

The Bill:

S. 11. To provide that the state or any public body in the state, whether a county, municipality, board of education, public corporation, public instrumentality, political subdivision, or other public entity howsoever identified, may issue its notes, bonds, certificates of indebtedness, warrants, or other securities howsoever designated, in fully registered form without coupons.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Mitchell
Aldridge	Boyington	Harrison	Mitchem
Amari	Cabaniss	Hilliard	Proctor
Bachus	Corbett	Keener	Smith (B)
Bailey	Covington	Kirkland	Smith (J)
Barron	deGraffenried	Little	Teague
Bedsole	Dixon		

—25

Nays: —0

The Bill:

S. 8. To provide for the creation and organization of the Department of Air Transportation and Service; to provide for a central controlling authority to ensure the safe, efficient operation of State aircraft; to provide for the transfer of aircraft and equipment used for the operation of such aircraft to the Department of Air Transportation and Service for various State agencies and departments; to provide for the centralization of the maintenance, management, storage, usage, fueling and operations of State aircraft; to provide for the duties, powers and functions of the Department of Air Transportation and Service including establishing a comprehensive program for management and service of State aircraft, maintain records of all State aircraft flights, maintain and initiate proficiency programs for State pilots, establish priorities for use of State aircrafts, ability to enter into contracts, prepare and maintain policy manual on State aircrafts, provide centralized service, assignment and control of State aircrafts; to create a revolving fund in State Treasury and to authorize the director of said department to make deposits and expenditures from time to time as may be necessary for said department's operations; to provide for the transfer of funds from various agencies to the Department of Air Transportation and Service; to provide that said department shall be subject to audit by the Department of Examiners of Public Accounts; to require annual reports of the departments to be made by the director to the Governor; to repeal all laws or parts of laws in conflict or inconsistent herewith; and to provide for an effective date.

was taken up.

Senator Mitchem offered the following amendment to the Bill, S. B. 8, to-wit:

AMENDMENT TO S. B. 8

On page 2, line 18, delete "1982" and insert in lieu thereof 1983

On page 3, Section 4, lines 7 through 9 delete the sentence: "The Department of Air due to the safety consideration involved in management and the need to provide for continuity of the management of a state program of air transportation and service."

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Senators:	Cabaniss	Dixon	Kirkland	
Bachus	Cooley	Figures	Little	
Bailey	Corbett	Foshee	Mitchell	
Barron	Covington	Harrison	Mitchem	
Bedsole	deGraffenried	Hilliard	Smith (B)	
Boyington	Denton	Keener	Teague	—23

Nays: —0

And said Bill, S. B. 8, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Mitchem	
Aldridge	Corbett	Harrison	Parsons	
Bachus	Covington	Hilliard	Robertson	
Barron	deGraffenried	Keener	Smith (B)	
Bedsole	Denton	Kirkland	Smith (J)	
Boyington	Dixon	Little	Teague	
Cabaniss	Figures	Mitchell		—26

Nays: —0

The Bill:

S. 17. To provide further for the expenses of the state auditor.
was taken up.

Senator Dixon moved that said Bill, S. B. 17, be indefinitely postponed.

On motion of Senator Mitchell, said motion was laid on the table.

Senator Dixon offered the following amendment to the Bill, S. B. 17, to-wit:

AMENDMENT TO S. B. 17

Amend Senate Bill No 17 Page one Line 21, by striking out 1,200.00 after the word of and adding 600.00.

On motion of Senator Mitchell, said amendment was laid on the table.

Yeas 22; Nays 5.

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Yeas:

Senators:	Bishop	Foshee	Mitchem	
Aldridge	Corbett	Hilliard	Parsons	
Amari	Covington	Keener	Proctor	
Bailey	deGraffenried	Kirkland	Smith (B)	
Barron	Denton	Little	Teague	
Bedford	Figures	Mitchell		—22

Nays:

Senators:	Bedsole	Cabaniss	Dixon	
Bachus	Boyington			—5

And said Bill, S. B. 17, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 6.

Yeas:

Senators:	Bishop	Foshee	Parsons	
Aldridge	Corbett	Keener	Proctor	
Amari	Covington	Kirkland	Robertson	
Bailey	deGraffenried	Little	Smith (B)	
Barron	Denton	Mitchell	Smith (J)	
Bedford	Figures	Mitchem	Teague	—23

Nays:

Senators:	Bedsole	Cabaniss	Harrison	
Bachus	Boyington	Dixon		—6

Senator Bishop requested that the Rules be suspended in order to bring up the Bill:

S. 29. To amend Section 16-18-1 of the Code of Alabama 1975, relating to public educational building authorities, so as to permit a public educational building authority to provide facilities to an educational institution indirectly through a private person, firm or corporation.

The Standing Committee on Education reported the following substitute for the Bill, S. B. 29, to-wit:

COMMITTEE SUBSTITUTE FOR S. B. 29

**A BILL
TO BE ENTITLED
AN ACT**

To amend Section 16-18-1 of the Code of Alabama 1975, relating to public educational building authorities, so as to permit a public educational building authority to provide facilities to an educational institution indirectly through a private person, firm or corporation.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 16-18-1 of the Code of Alabama of 1975 is amended to read as follows:

For the purposes of this chapter, the following words and phrases shall have the following respective meanings:

(1) **ANCILLARY IMPROVEMENTS.** Educational and related facilities of every kind including, but without limitation to, classrooms, scientific and other laboratories, libraries, auditoriums, gymnasiums, cafeterias, dining rooms, dormitories, student and faculty apartments, student union buildings, recreational and social facilities, student and faculty infirmaries and clinics and facilities for washing, laundering and cleaning clothing and fabrics of every kind, or any combination of any thereof, and shall also include equipment and furniture and fixtures used or useful in educational and related facilities of every kind.

(2) **APPLICANT.** A natural person who files a written application with the governing body of any municipality in accordance with the provisions of Section 16-18-3.

(3) **AUTHORITY.** Any public corporation organized pursuant to the provisions of this chapter.

(4) **BOARD.** The board of directors of an authority.

(5) **BONDS.** Bonds, notes and certificates representing an obligation to pay money.

(6) **CONSTRUCTION and CONSTRUCT:**

a. The construction of new buildings and the expansion, remodeling and alteration of existing buildings; and

b. The equipment and furnishing of new buildings and existing buildings, whether or not expanded, remodeled or altered.

(7) **COUNTY.** Any county in the state.

(8) **DETERMINING MUNICIPALITY.** Any municipality the governing body of which shall have made findings and determinations of fact in accordance with the provisions of section 16-18-3.

(9) **DIRECTOR.** A member of the board of directors of the authority.

(10) **EDUCATIONAL INSTITUTIONS.** Every college, university, graduate school, professional school, junior college, trade school, elementary school, secondary school, and every institution for education and training of the deaf, blind or mentally retarded, heretofore or hereafter established or acquired under statutory authorization of the legislature of Alabama and existing as public institutions of learning supported in substantial part by state appropriations or by revenues derived from taxation.

(11) **GOVERNING BODY.** The council, commission or other like governing body of a municipality.

(12) **INCORPORATORS.** The persons forming a public corporation organized pursuant to the provisions of this chapter.

(13) **MUNICIPALITY.** An incorporated city or town of the state.

(14) **PERSON.** A natural person, a public or private corporation, a municipality, a county or an agency, department or instrumentality of the state or of a county or municipality.

(15) **PROPERTY.** Real and personal property, and interest therein.

(16) **STATE.** The state of Alabama.

(17) **HEREIN, HEREBY, HEREUNDER, HEREOF.** Refer to this

chapter as an entirety and not solely to the particular section or portion thereof in which any such word is used.

The definitions set forth herein shall be deemed applicable whether the words defined are used in the singular or plural. Whenever used herein, any pronoun or pronouns shall be deemed to include both singular and plural and to cover all genders.

]Whenever in this chapter any power is given to an educational institution, or whenever references is made to any action by an educational institution, such power shall extend to and may be exercised by the board of trustees or other body having general supervisory power over the educational institution.

Whenever in this chapter any power is given to an authority to lease ancillary improvements to an educational institution or to an educational institution to lease such ancillary improvements from an authority, such power shall include the power of such authority to lease such ancillary improvements, other than dormitories and student and faculty apartments, to, and the power of such educational institution to sublease such ancillary improvements from, a private person, firm or corporation, but only if at the time of the execution of such a lease to a private person, firm or corporation, such a sublease shall have been executed with respect to the same ancillary improvements, other than dormitories and student and faculty apartments. All such lease agreements with educational institutions and schools must be approved by the governing body of said institution or school.

Section 2. This act shall become effective upon its passage and approval by the governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Senators:	Bedsole	Figures	Mitchem	
Aldridge	Bishop	Foshee	Parsons	
Amari	Boyington	Harrison	Proctor	
Bachus	Cabaniss	Keener	Robertson	
Bailey	Corbett	Kirkland	Smith (B)	
Barron	Covington	Little	Smith (J)	
Bedford	Denton	Mitchell		—26

Nays: —0

And said Bill, S. B. 29, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Senators:	Bishop	Figures	Mitchell	
Aldridge	Boyington	Foshee	Mitchem	
Amari	Cabaniss	Harrison	Parsons	
Bachus	Corbett	Hilliard	Proctor	
Barron	Covington	Keener	Robertson	
Bedford	deGraffenried	Kirkland	Smith (B)	
Bedsole	Denton	Little	Smith (J)	—27

Nays:

—0

The Bill:

S. 13. To provide that the state and any public body in the state, whether a county, municipality, board of education, public corporation, public instrumentality, political subdivision, or other public entity howsoever identified, may issue its notes, bonds, certificates of indebtedness, warrants, or other securities howsoever designated, with facsimile signatures of all executing or attesting officers, officials or representatives of the issuer and a facsimile of the corporate seal, if any, of the issuer, if such securities are required to be authenticated by the manual signature of the registrar of such securities.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Mitchell
Aldridge	Boyington	Harrison	Mitchem
Bachus	Cabaniss	Hilliard	Parsons
Bailey	Corbett	Keener	Proctor
Barron	Covington	Kirkland	Smith (J)
Bedford	deGraffenried	Little	Teague
Bedsole	Figures		

—25

Nays:

—0

RESOLUTIONS

Senator Bedford offered the following Senate Joint Resoluton, to-wit:

S. J. R. 55. COMMENDING MISS STEPHANIE KAY ASHMORE, ALABAMA JUNIOR MISS.

WHEREAS, The Alabama Legislature, in pleased concurrence, notes the selection on January 23, 1983, of Miss Stephanie Kay Ashmore of Muscle Shoals as Alabama's new Junior Miss; and

WHEREAS, the lovely Miss Ashmore, daughter of Dr. and Mrs. James D. Ashmore, is a 17-year-old senior at Muscle Shoals High School where she excels academically and is involved in numerous of her school's extracurricular activities; and

WHEREAS, Miss Ashmore, an accomplished gymnast, ballerina and vocalist, combined the first two of these talents for that category of competition and was selected in final judging from a field of nine other talented and beautiful young ladies to become our new Alabama Junior Miss; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most warmly praise and commend Alabama Junior Miss, Stephanie Kay Ashmore of Muscle Shoals, Alabama, and sincerely wish her every success in the forthcoming National Junior Miss Pageant.

BE IT FURTHER RESOLVED, That Miss Ashmore receive a copy of

this resolution that she and her parents may be aware of our warm best wishes and of our deep pride in her selection to serve as Alabama's charming ambassador in National competition.

On motion of Senator Bedford, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Bedford and Denton offered the following Senate Joint Resolution, to-wit:

S. J. R. 56. COMMENDING MISS ALYSSA ASHLEY OF KILLEN, LAUDERDALE COUNTY, ALABAMA, AS ALABAMA'S FAIREST OF THE FAIRS QUEEN.

WHEREAS, it is with great pleasure, and in warm personal pride, that the Legislature of Alabama notes recent honors bestowed upon Miss Alyssa Ashley of Killen, Lauderdale County, Alabama, the lovely daughter of our good friends, Representative and Mrs. Charles Ashley; and

WHEREAS, on January 7, 1983, in state competition held in Birmingham, Miss Ashley was named Fairest of the Fairs Queen from a field of contestants of county fair pageant representatives from throughout Alabama; and

WHEREAS, Miss Ashley, representing the North Alabama State Fair, was judged, as were all contestants, in the five areas of talent, poise and carriage, beauty in sportswear, beauty in evening gown and by the result of a conference held with the judges; and

WHEREAS, an extremely charming and talented young lady, Miss Ashley is an 18-year-old freshman at the University of North Alabama, majoring in commercial music; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we extend heartfelt congratulations and expressions of sincere warm praise to Miss Alyssa Ashley, Alabama's Fairest of the Fairs Queen.

BE IT FURTHER RESOLVED, That Miss Ashley and her parents receive copies of this resolution in token of admiration and of our warm best wishes for her every future success in life.

On motion of Senator Bedford, the Rules were suspended and the Resolution was adopted by the Senate.

FURTHER CONSIDERATION OF S. B. 27

The Senate proceeded to consideration of the Bill, S. B. 27.

Senator Keener offered the following amendment to the Bill, S. B. 27, to-wit:

AMENDMENT TO S. B. 27

Amend Senate Bill No. 27 Page 1 Line 25, by striking out lines 25-28 in their entirety and substituting the following:

"(20) for any retail licensee to sell, furnish or give any alcoholic beverage to any person visibly intoxicated or to a minor or to any person who is known to such licensee to be insane, or is known to him to be an habitual drunkard or is known to him to be a person of intemperate habits or to any such person of whom he should have reasonably had such knowledge."

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Mitchem	
Aldridge	Boyington	Harrison	Parsons	
Amari	Cabaniss	Hilliard	Proctor	
Bachus	Corbett	Keener	Smith (B)	
Bailey	Covington	Kirkland	Smith (J)	
Bedford	deGraffenried	Little	Teague	
Bedsole	Figures	Mitchell		—26

Nays: —0

And said Bill, S. B. 27, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Figures	Little	
Aldridge	Boyington	Foshee	Mitchell	
Amari	Cabaniss	Harrison	Parsons	
Bachus	Corbett	Hilliard	Robertson	
Bailey	Covington	Keener	Smith (B)	
Bedford	deGraffenried	Kirkland	Teague	
Bedsole	Dixon			—25

Nays: —0

Senator Parsons requested that the names of Senators Bedford, Bachus, Bedsole, Robertson, Corbett, Aldridge, and Kirkland be added as co-sponsors of the above Bill, S. B. 27, which motion was adopted.

Senator Kirkland requested that the Rules be suspended in order to bring up the Bill:

S. 7. To amend Section 9-11-235.1 of the Code of Alabama 1975, so as to provide further for taking or hunting raccoons or opossums at night.

And said Bill, S. B. 7, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Senators:	Cabaniss	Figures	Parsons	
Bachus	Cooley	Harrison	Robertson	
Bailey	Corbett	Hilliard	Smith (B)	
Bedford	Covington	Kirkland	Smith (J)	
Bedsole	deGraffenried	Little	Teague	
Boyington	Dixon	Mitchell		—22

Nays: —0

Senator Bedford requested that his name be added as co-sponsor of the

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above Bill, S. B. 7, which motion was adopted.

ADJOURNMENT

At 6:12 P.M., on motion of Senator Teague, in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Friday, January 28, 1983, at 6 o'clock P.M.

FOURTH LEGISLATIVE DAY**FRIDAY, JANUARY 28, 1983**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

PRAYER

The Session was opened with prayer by the Reverend Mike Riddle, Minister, Memorial Heights Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Cabaniss	Goodwin	Mitchell
Aldridge	Corbett	Harrison	Mitchem
Amari	Covington	Hilliard	Parsons
Bachus	deGraffenried	Keener	Proctor
Barron	Denton	Kirkland	Robertson
Bedford	Dixon	Little	Smith (J)
Bedsole	Figures	Menton	Teague
Bishop	Foshee		

—29

JOURNAL

On motion of Senator Teague, the reading of the Journal of yesterday was dispensed with.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Third Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,
Chairperson.

COMMITTEE REPORT

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Third Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Senator Teague, leave of absence was granted Senators Bailey, Boyington, Cooley, Holmes, Pearson, and Smith (B) for today.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Dear Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Board of Trustees for Troy State University.

Respectfully submitted,

ELVIN STANTON,
Executive Secretary.

Done this 28th day of January, 1983.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Dear Lady and Gentlemen:

I have appointed, subject to your confirmation, the following:

Honorable Charles Martin, 1716 Camellia Drive, S.W., Decatur, AL
35601 (replacing the late Jack Giles)

as a member of the Board of Trustees for Troy State University.

Respectfully,

GEORGE C. WALLACE,
Governor.

Done this 28th day of January, 1983.

GOVERNOR'S MESSAGE

On motion of Senator Bishop, seconded by Senator Aldridge, the Rules were suspended and the appointment of Representative Charles Martin was confirmed as a member of the Board of Trustees of Troy State.

Yeas 29; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Mitchell
Aldridge	Corbett	Harrison	Mitchem
Amari	Covington	Hilliard	Parsons
Bachus	deGraffenried	Keener	Proctor
Barron	Denton	Kirkland	Robertson
Bedford	Dixon	Little	Smith (J)
Bedsole	Figures	Menton	Teague
Bishop	Foshee		

—29

Nays:

—0

RESOLUTION

Senator Robertson offered the following Senate Joint Resolution, to-wit:

S. J. R. 57. HONORING OUR ASSOCIATE, MR. THOMAS EARL GILMORE, FORMER GREENE COUNTY, ALABAMA, "SHERIFF WITHOUT A GUN."

WHEREAS, it is with inordinate pride that the Alabama Legislature recognizes Mr. Thomas Earl Gilmore of Forkland for distinguished service

as the former Sheriff of Greene County, Alabama, for his sincere Christian commitment and for his dedicated community service; and

WHEREAS, as Sheriff of Greene County from 1971 to 1983, Mr. Gilmore was the inspiration for, and his life the subject of, the NBC network television movie entitled "This Man Stands Alone," with Lou Gossett, Jr., in the role of Sheriff; and

WHEREAS, it is to be noted that Mr. Gilmore, during his 12-year law enforcement tenure, was never armed and thus came to be widely known as "the sheriff without a gun"; his philosophy that arms oftentimes trigger violence was never a hindrance, however, to his ability to command respect and to effectively keep the peace of his county; and

WHEREAS, Sheriff Gilmore, at the close of his third consecutive term, elected not to seek a fourth term but to instead serve in other areas of community concern; and

WHEREAS, Mr. Gilmore, a native of Forkland in Greene County was born in his grandmother, Clara Bryant Gilmore's home, where she still lives, and it was largely her influence that molded his strong Christian convictions; he currently serves, and has since 1971, as Pastor of Eastern Baptist Church in Demopolis and he has also served as Moderator of Needham Creek Baptist Convention in Greene County; and

WHEREAS, Mr. Gilmore, who attended Selma University and the University of Alabama, is a Mason, a member of Phi Beta Sigma, and is now our associate as an employee of the Alabama Senate, in assignment to Lieutenant Governor Baxley; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend our friend and associate, Mr. Thomas Earl Gilmore, for outstanding service to Greene County, to his church and to the entire State of Alabama.

BE IT FURTHER RESOLVED, That Mr. Gilmore be presented with a copy of this resolution that he and his wife, Minnie Lee, their six children and other family members may know of our warm praise and regard.

On motion of Senator Robertson, the Rules were suspended and the Resolution was adopted by the Senate.

REPORTS OF COMMITTEES

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Representatives Casey, Drake, Holmes, Coburn, Holley, Johnson (Roy), Preuitt, Trammell, Blake, White (L), White (F), Browder, Langford, Adams, Bowling, Layton, Harvey, Martin, Coleman, Horn, Rogers, Mathis, Mitchell, Thornton, Davis, Ashley, Grimsley, Smith, Crow, Thomas, Johnson (Al), and Rice (With Amendment):

H. 1. To amend Code of Alabama 1975, §§40-20-2 and 40-20-8, so as to delete certain exemptions and provide an eight (two percent additional) percent statewide production privilege tax and to rescind royalty owners tax exemptions so that contracts will not be impaired, to amend the allocation and distribution formula, and to provide an effective date.

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Holley, et al:

H. 2. To make an appropriation of Trust Income from the Alabama Heritage Trust Income Account to the Alabama Medicaid Agency for the ordinary expenses of state government for the fiscal year ending September 30, 1983.

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Johnson (Roy), et al: (With Amendment):

H. 6. To amend Sections 36-17-8 and 36-17-10 of the Code of Alabama 1975, relating to the procedure for the treasurer in paying principal and interest on bonded indebtednesses and the payment on bonded indebtedness by the fiscal agent, so as to provide further for such procedure, the time-frame for the transfer of funds, and the bank designations; and to provide for certain exceptions as to existing bond debentures; to specifically repeal Sections 36-17-7 and 36-17-9 of the Code of Alabama 1975, relating to the designation of a fiscal agent for bond issue payments in only the city of New York and the method of sending money for payment of indebtedness to the fiscal agency in only such city.

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Johnson (Roy), et al:

H. 5. To create a department of corrections headed by and under the direction, supervision and control of a commissioner of corrections and to provide for his appointment and term of office and compensation; to transfer to the department all powers, authority and responsibilities which, prior to the enactment of sections 14-1-15 through 14-1-17, Code of Alabama 1975, as amended, were vested in the board of corrections and which by such statutes were transferred to the governor of the state of Alabama; to provide for the appointment of deputy commissioners by the commissioner to serve at his pleasure and to provide for their compensation, and to repeal conflicting laws and specific statutes pertaining to the governor and the former board of corrections and any inconsistencies contained in Title 14, Chapters 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 of the Code of Alabama 1975, as amended, which conflict with or are inconsistent with any provision of this act.

Senator Mitchell, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Coburn, et al:

H. 4. To amend Section 40-5-36, Code of Alabama 1975, so as to re-

quire the tax collector of each county to report tax collections twice a month throughout the year.

Senator Smith (J), Chairperson of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Holley, et al:

H. 3. To amend Section 41-14-34 of the Code of Alabama 1975 regarding payment of interest to the State.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Carter, Butler, Thornton and Davis (With Notice and Proof):

H. 7. Relating to Limestone County; providing a supplement to the salary of each court reporter, payable from the county treasury.

By Rep. Minus (With Notice and Proof):

H. 21. Relating to Sumter County; prescribing certain guidelines for employing and compensating certain personnel in the sheriff's office in said county and providing that the salary of the sheriff's secretary shall be paid from the county general fund.

By Rep. Hammett (With Notice and Proof):

H. 35. To alter, rearrange and extend the boundary lines and corporate limits of the City of Florala in Covington County, Alabama, so as to include within the corporate limits of said city certain additional territory.

By Rep. Hammett (With Notice and Proof):

H. 36. Relating to Covington County; to authorize and provide for the establishment, maintenance, equipping, operation, and financing of public law libraries; to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within the county; and to repeal Act No. 1692, H. 2459, 1971 Regular Session, (Acts 1971, p. 2838).

RESOLUTIONS

Senator Little offered the following Senate Resolutions, to-wit:

S. R. 58. COMMENDING MR. NEIL ANDERSON AS ALEXANDER CITY MAN OF THE YEAR.

Also:

S. R. 59. COMMENDING FORMER TALLAPOOSA COUNTY SHERIFF JAMES T. FARROW.

Which were adopted.

ADJOURNMENT

At 6:30 P.M., on motion of Senator Teague, in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Saturday, January 29, 1983, at 9 o'clock A.M.

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5th Day

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FIFTH LEGISLATIVE DAY
SATURDAY, JANUARY 29, 1983

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

PRAYER

The Session was opened with prayer by the Honorable Curtis Smith, House District 53, Clanton, Alabama.

ROLL CALL

Present:

Senators:	Boyington	Foshee	Mitchell
Aldridge	Cabaniss	Goodwin	Mitchem
Amari	Cooley	Harrison	Parsons
Bachus	Corbett	Hilliard	Proctor
Bailey	Covington	Holmes	Robertson
Barron	deGraffenried	Keener	Smith (B)
Bedford	Denton	Kirkland	Smith (J)
Bedsole	Dixon	Little	Teague
Bishop	Figures	Menton	

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JOURNAL

On motion of Senator Teague, the reading of the Journal of yesterday was dispensed with.

LEAVE OF ABSENCE

On motion of Senator Teague, leave of absence was granted Mr. Pearson for today.

RECESS

At 9:05 A.M., on motion of Senator Teague, the Senate took a recess to return at the call of the Chair.

At 10 o'clock A.M., the Senate was called to order by Lieutenant Governor Baxley. A quorum of the Senate was present.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 3. To amend Code of Alabama 1975, Section 5-5A-20, so as to provide that the Superintendent of Banks may authorize the opening of a branch in any county if the Superintendent of Banks deems it necessary to protect the public where any bank, state or national, has been closed, is in danger of closing, or otherwise is involved in severe financial condition threatening the stability of a significant number of banks or banks possessing significant financial resources.

Also:

S. 21. To make an appropriation of Trust Income from the Alabama Heritage Trust Income Account to the Alabama Medicaid Agency for the

ordinary expenses of state government for the fiscal year ending September 30, 1983.

Also:

S. 22. To amend Sections 36-17-8 and 36-17-10 of the Code of Alabama 1975, relating to the procedure for the treasurer in paying principle and interest on bonded indebtednesses and the payment on bonded indebtedness by the fiscal agent, so as to provide further for such procedure, the time-frame for the transfer of funds, and the bank designations; and to provide for certain exceptions as to existing bond debentures; to specifically repeal Sections 36-17-7 and 36-17-9 of the Code of Alabama 1975, relating to the designation of a fiscal agent for bond issue payments and the method of sending money for payment of indebtedness to the fiscal agency in only such city.

Also:

S. 23. To amend Section 40-5-36, Code of Alabama 1975, so as to require the tax collector of each county to report tax collections twice a month throughout the year.

Also:

S. 11. To provide that the state or any public body in the state, whether a county, municipality, board of education, public corporation, public instrumentality, political subdivision, or other public entity howsoever identified, may issue its notes, bonds, certificates of indebtedness, warrants, or other securities howsoever designated, in fully registered form without coupons.

Also:

S. 12. To authorize each county in this state to sell and issue from time to time interest-bearing warrants for the purpose of paying costs of erecting necessary public buildings, bridges and roads in such county, and acquiring land therefor; to provide that such warrants shall evidence general obligation indebtedness of the county; to provide that such warrants may, at the discretion of the governing body of the county, be additionally secured by a pledge or pledges of the proceeds from certain taxes; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; to provide that such warrants shall be legal investments for fiduciaries; and to provide that the issuance of any warrants and any interest coupons applicable thereto shall constitute the audit and allowance of claims against the issuing county and any tax proceeds and revenues, or either, pledged to the payment thereof.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 13. To provide that the state and any public body in the state, whether a county, municipality, board of education, public corporation, public instrumentality, political subdivision, or other public entity howsoever identified, may issue its notes, bonds, certificates of indebtedness, warrants, or other securities howsoever designated, with facsimile signatures of

all executing or attesting officers, officials or representatives of the issuer and a facsimile of the corporate seal, if any, of the issuer, if such securities are required to be authenticated by the manual signature of the registrar of such securities.

Also:

S. 25. To amend Section 41-14-34 of the Code of Alabama 1975 regarding payment of interest to the State.

JOHN W. PEMBERTON,
Clerk.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 60. RESOLVED BY THE SENATE, That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading until disposed of:

BILL NO.	PAGE NO.	DESCRIPTION
HB 1	7	Privilege Tax, Royalty Tax, amended
HB 2	8	AL Heritage & Trust Income Acct. to Medicaid Agency
HB 6	8	Treasurer, principle & int.
HB 4	9	Tax Collector to report tax collections
HB 3	10	Regarding payment of interest to state
HB 5	9	Dept. of Corrections

On motion of Senator Bishop, the Resolution was adopted by the Senate.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama Real Estate Commission.

Respectfully submitted,

ELVIN STANTON,
Executive Secretary.

Done this 28th day of January, 1983.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Lady and Gentlemen:

I have re-appointed, subject to your confirmation, the following:

Mr. Bert Danner
7905 Tea Garden Road
Huntsville, Alabama 35801

as a member of the Alabama Real Estate Commission.

Respectfully,

GEORGE C. WALLACE,
Governor.

Done this 28th day of January, 1983.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Real Estate Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Board of Trustees of the University of Montevallo.

Respectfully submitted,

ELVIN STANTON,
Executive Secretary.

Done this 28th day of January, 1983.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, the following:

Ms. Anne Bains, 320 4th Avenue West, Oneonta, Alabama 35121 (to fill the unexpired term of Ernest C. Reddick)

as a member of the Board of Trustees of the University of Montevallo.

Respectfully,

GEORGE C. WALLACE,
Governor.

Done this 28th day of January, 1983.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Board of Trustees of the University of Montevallo, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the appointment of a Deputy Adjutant General to the Alabama National Guard.

Respectfully submitted,
ELVIN STANTON,
Executive Secretary.

Done this 28th day of January, 1983.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, the following to the Alabama National Guard:

Brigadier General Teddy E. Williams as Deputy Adjutant General 421-40-7175, Hq AL ARNG

Respectfully,
GEORGE C. WALLACE,
Governor.

Done this 28th day of January, 1983.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment as Deputy Adjutant General of the Alabama National Guard, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the appointment of an Adjutant General to the Alabama National Guard.

Respectfully submitted,
ELVIN STANTON,
Executive Secretary.

Done this 28th day of January, 1983.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, the following to the Alabama National Guard:

Major General William A. Hornsby as Adjutant General 417-32-3908,
Hq AL ARNG

Respectfully,
GEORGE C. WALLACE,
Governor.

Done this 28th day of January, 1983.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment as Adjutant General of the Alabama National Guard, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Martin, Adams, Albright, Ashley, Bennett, Biddle, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Brooks, Browder, Bryant, Buskev. Butler, Campbell, Carothers, Carter, Casey, Clark, Clikas, Coburn, Coleman, Cosby, Crow, Davis, Drake, Drinkard, Dutton, Escott, Faulk, Flowers, Ford, Freeman, Gaston, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Horn, Howard, Johnson (A.L.), Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Langford, Lauderdale, Layton, Lewis, McKee, McMillan, Manley, Mathis, Melton, Minus, Mitchell, Moore, Murphy, Nevett, Newman, Nicholson, Owens, Parker, Payne, Penry, Poole, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Scott, Seibels, Smith, Starkey, Starr, Stout, Thomas, Thornton, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Warren, White (F), White (L), Williams, Wilson, Wright and Zoghby:

H. J. R. 42. ENCOURAGING THE UNITED STATES CONGRESS TO REPEAL THE PROVISIONS OF THE TAX EQUALITY AND FISCAL RESPONSIBILITY ACT OF 1982, REQUIRING THE PERIODIC WITHHOLDING OF TAXES FROM INTEREST ON SAVINGS ACCOUNTS AND DIVIDENDS.

WHEREAS, the Tax Equality and Fiscal Responsibility Act of 1982 which provides for the mandatory reporting and withholding of taxes on savings accounts and dividends at the time they are periodically distributed or credited to such accounts during the tax year; and

WHEREAS, such periodic withholding and reporting causes financial hardships on depositors, bondholders, stockholders, and many additional expenses on the financial institutions and corporations involved; and

WHEREAS, additional burdens are placed on accountants because of the red-tape created in accounting for and crediting properly the periodic tax withheld; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH

HOUSES THEREOF CONCURRING, That we hereby petition the United States Congress to repeal the provisions of the Tax Equality and Financial Responsibility Act of 1982 requiring the periodic withholding and reporting of taxes from interest on savings accounts and dividends as they are distributed or credited to such accounts during the tax year.

BE IT FURTHER RESOLVED, That in many instances the said tax will be withheld from citizens' savings accounts even though no income taxes would be owed on interest credited to such savings account by the taxpayers thereby penalizing any such taxpayers by their losing the compound interest that would otherwise have been paid on said amounts periodically withheld but not actually owed for taxes.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to each member of the Alabama Congressional Delegation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Little, the Rules were suspended and the Resolution, H.J.R. 42, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Bowling and Drake:

H. J. R. 41. COMMENDING THE CULLMAN COUNTY POULTRY ASSOCIATION.

Also:

By Reps. Parker, Adams, Albright, Ashley, Bennett, Biddle, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Brooks, Browder, Bryant, Buskey, Butler, Campbell, Carothers, Carter, Casey, Clark, Clikas, Coburn, Coleman, Cosby, Crow, Davis, Drake, Drinkard, Dutton, Escott, Faulk, Flowers, Ford, Freeman, Gaston, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Horn, Howard, Johnson (A.L.), Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Langford, Lauderdale, Layton, Lewis, McKee, McMillan, Manley, Martin, Mathis, Melton, Minus, Mitchell, Moore, Murphy, Nevett, Newman, Nicholson, Owens, Payne, Penry, Poole, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Scott, Seibels, Smith, Starkey, Starr, Stout, Thomas, Thornton, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Warren, White (F), White (L), Williams, Wilson, Wright and Zoghby:

H. J. R. 43. MOURNING THE DEATH OF MRS. KATHERINE H. ROBERTS OF HARTSELLE, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Cooley, the Rules were suspended and the Reso-

lution, H.J.R. 41, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

On motion of Senator Aldridge, the Rules were suspended and the Resolution, H.J.R. 43, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Flowers, Grimsley, Hammett, Mathis, Smith, and Faulk:

H. J. R. 44. MEMORIALIZING THE CONGRESS AND U. S. AGRICULTURE SECRETARY JOHN BLOCK TO WORK FOR THE REPEAL OR REVISION OF THE FOOD AGRICULTURE ACT OF 1980.

WHEREAS, the Food Agriculture Act of 1980 effectively abolished peanut allotments and instead set up quotas or poundages for Alabama farmers and those nationwide; and

WHEREAS, this Act has severely punished peanut farmers in the Wiregrass area of Alabama and, in certain cases, has totally deprived many farmers of their means of livelihood; and

WHEREAS, those farmers, for example, who have historically had peanut allotments but who may have leased their acreage for two out of three years, have lost their quotas or poundages forever and may never again put the peanut farmland in cultivation; and

WHEREAS, during perhaps the most difficult times in our nation's history for the American farmer, it is inconceivable that our federal government would allow a statute to exist that is both punitive and contra-productive for our farmers; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby memorialize the United States Congress and U. S. Agriculture Secretary John Block to fully support the repeal or revision of the Food Agriculture Act of 1980, so as to remove the restriction now imposed on the peanut farmers of Alabama and America.

BE IT FURTHER RESOLVED, That the Clerk of the House is hereby instructed to forward copies of this resolution to Secretary John Block, Senators Jeremiah Denton and Howell Heflin and to Representatives William Dickinson and Bill Nichols.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Mitchem, the Rules were suspended and the Resolution, H.J.R. 44, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed

the following Senate bill and returns same herewith to the Senate.

S. 29. To amend Section 16-18-1 of the Code of Alabama 1975, relating to public educational building authorities, so as to permit a public educational building authority to provide facilities to an educational institution indirectly through a private person, firm or corporation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Smith (B), the Senate concurred in and adopted the following House amendment to the Bill, S. B. 29, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 29

Amend Senate Bill 29, on page 1, line 32, after the end of the sentence by adding the following:

Nothing herein shall be construed as authorizing the construction of buildings for primarily commercial purposes.

Yeas 23; Nays 1.

Yeas:

Senators:	Bedsole	Dixon	Mitchell
Aldridge	Bishop	Foshee	Mitchem
Amari	Boyington	Goodwin	Proctor
Bachus	Cabaniss	Harrison	Smith (B)
Barron	Corbett	Little	Smith (J)
Bedford	deGraffenried	Menton	Teague

—23

Nay: Senator Hilliard

—1

BILLS ON THIRD READING

The Bill:

S. 19. Relating to Wilcox County; to set the compensation for certain clerks in the probate judge's office; to provide for pay periods, source of funding and for retroactive effect.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0

Yeas:

Senators:	Bedsole	Figures	Little
Aldridge	Bishop	Goodwin	Mitchell
Amari	Cabaniss	Hilliard	Proctor
Bachus	Cooley	Holmes	Smith (B)
Bailey	Corbett	Keener	Smith (J)
Barron	Denton	Kirkland	Teague
Bedford	Dixon		

—25

Nays:

—0

The Bill:

S. 31. Relating to Jefferson County; providing further for an additional expense allowance of the Assistant Tax Assessor and Assistant Tax Collector, payable from the general fund of the county; providing for an expiration date.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Mitchell	
Amari	Cabaniss	Hilliard	Parsons	
Bachus	Cooley	Holmes	Proctor	
Bailey	Corbett	Keener	Smith (B)	
Barron	Denton	Little	Smith (J)	
Bedford	Dixon	Menton	Teague	
Bedsole	Figures			—25

Nays: —0

The Bill:

S. 35. To authorize Class I cities to establish Enterprise Zones in areas of pervasive poverty, unemployment and economic distress and to carry out programs to encourage private investment and to create jobs in such areas, and to authorize agencies of such cities, the county governing body and state and county agencies to carry out similar programs in such Enterprise Zones, including, but not limited to, reduction of tax rates, license rates and fees, improvement of public services and reduction and modification of regulatory requirements within such zones, and to provide other services and to modify other requirements as may be necessary or desirable to qualify for financial assistance to such Class I cities or private entities within such zones under any Act of the Congress of the United States heretofore or hereafter enacted.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Mitchell	
Amari	Cabaniss	Hilliard	Parsons	
Bachus	Cooley	Holmes	Proctor	
Bailey	Corbett	Keener	Smith (B)	
Barron	Denton	Little	Smith (J)	
Bedford	Dixon	Menton	Teague	
Bedsole	Figures			—25

Nays: —0

The Bill:

H. 7. Relating to Limestone County; providing a supplement to the salary of each court reporter, payable from the county treasury.

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was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Menton
Amari	Cabaniss	Goodwin	Mitchell
Bachus	Cooley	Hilliard	Mitchem
Bailey	Corbett	Holmes	Parsons
Barron	Denton	Keener	Proctor
Bedford	Dixon	Little	Smith (J)
Bedsole	Figures		

—25

Nays: —0

The Bill:

H. 35. To alter, rearrange and extend the boundary lines and corporate limits of the City of Florala in Covington County, Alabama, so as to include within the corporate limits of said city certain additional territory.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Hilliard	Mitchem
Amari	Cooley	Holmes	Parsons
Bachus	Corbett	Keener	Proctor
Bailey	Denton	Little	Smith (B)
Barron	Dixon	Menton	Smith (J)
Bedford	Foshee	Mitchell	Teague
Bedsole	Harrison		

—25

Nays: —0

The Bill:

H. 36. Relating to Covington County; to authorize and provide for the establishment, maintenance, equipping, operation, and financing of public law libraries; to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within the county; and to repeal Act No. 1692, H. 2459, 1971 Regular Session, (Acts 1971, p. 2838).

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Hilliard	Mitchem
Amari	Cooley	Holmes	Parsons
Bachus	Corbett	Keener	Proctor
Bailey	Denton	Little	Smith (B)
Barron	Dixon	Menton	Smith (J)
Bedford	Foshee	Mitchell	Teague
Bedsole	Harrison		

—25

Nays: —0

The Bill:

H. 21. Relating to Sumter County; prescribing certain guidelines for employing and compensating certain personnel in the sheriff's office in said county and providing that the salary of the sheriff's secretary shall be paid from the county general fund.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Hilliard	Mitchell	
Amari	Corbett	Holmes	Mitchem	
Bachus	Denton	Keener	Parsons	
Bailey	Dixon	Kirkland	Robertson	
Barron	Figures	Little	Smith (J)	
Bedsole	Foshee	Menton	Teague	
Bishop	Goodwin			—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 7. COMMENDING COACH PAUL W. BRYANT OF THE UNIVERSITY OF ALABAMA.

Also:

H. J. R. 8. ENCOURAGING ALABAMA'S CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION IN THE AREAS OF NATIONAL DEFENSE AND SOCIO-ECONOMICS.

Also:

H. J. R. 10. REGARDING THE RETENTION OF GOVERNOR GEORGE C. WALLACE'S PORTRAIT IN THE STATE CAPITOL ROTUNDA.

Also:

H. J. R. 19. URGING THE ALABAMA DEPARTMENT OF INDUSTRIAL RELATIONS TO RECONSIDER THE RELOCATION OF THE MOBILE LOCAL STATE EMPLOYMENT SERVICE AND UNEMPLOYMENT COMPENSATION OFFICE TO AN INACCESSIBLE LOCATION ON SPRINGHILL AVENUE.

Also:

H. J. R. 36. MOURNING THE DEATH OF ALABAMA'S BELOVED COACH PAUL WILLIAM BRYANT.

Also:

H. J. R. 38. COMMENDING MRS. PAULINE C. EUBANKS FOR MERITORIOUS SERVICE TO MONTGOMERY COUNTY, ALABAMA,

AND OUR STATE.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

SPECIAL ORDER

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

H. 1. To amend Code of Alabama 1975, §§40-20-2 and 40-20-8, so as to delete certain exemptions and provide an eight (two percent additional) percent statewide production privilege tax and to rescind royalty owners tax exemptions so that contracts will not be impaired, to amend the allocation and distribution formula, and to provide an effective date.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, H.B. 1, to wit:

COMMITTEE AMENDMENT TO H. B. 1

Page 1, line 31, after the word "day" insert, "or gas wells producing less than 400,000 cubic feet per day "

Page 3, delete lines 25 thru 29 and insert in lieu of the following new lines 25 thru 29:

"Twenty-five percent of all taxes herein levied and collected by the department at eight percent as set forth in Section 1.(a) of this Act, after the same has been certified into the state treasury, shall be allocated and distributed by the comptroller to the credit of the general fund of the state."

Page 3, delete lines 30 and 31 and insert in lieu of the following new lines 30 and 31:

"(b) Sixty-six and two-thirds percent of all remaining taxes herein levied and

Page 5, delete lines 1 and 2 and insert in lieu of the following new lines 1 and 2:

"(c) Sixteen and two-thirds percent of all remaining taxes herein levied and

Page 5, delete lines 5 and 6 and insert in lieu of the following new lines 5 and 6:

"(d) Sixteen and two-thirds percent of all remaining taxes herein levied and

Senator Goodwin offered the following substitute amendment for the Committee amendment to the Bill, H.B. 1, to wit:

**SUBSTITUTE AMENDMENT FOR COMMITTEE
AMENDMENT TO H. B. 1**

Amend H. B. 1 by striking Senate Finance and Taxation Committee amendment in its entirety.

Further amend H.B. 1 as follows:

On page 1, Section 1 (a) on line 31 strike the words and figures "40 barrels" and insert in lieu thereof the words and figures "10 barrels".

Which was adopted.

RECESS

At 10:20 A.M., on motion of Senator Teague, the Senate took a recess to return at the call of the Chair.

At 10:50 A.M., the Senate was called to order by President Pro Tempore Teague. A quorum of the Senate was present.

REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Brigadier General Teddy E. Williams as Deputy Adjutant General of the Alabama National Guard.

On motion of Senator Keener, consideration of the appointment of Brigadier General Williams was postponed temporarily.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Major General William A. Hornsby as Adjutant General of the Alabama National Guard.

On motion of Senator Keener, consideration of the appointment of Major General Hornsby was postponed temporarily.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. Bert Danner to the Alabama Real Estate Commission.

On motion of Senator Smith (B), the appointment of Mr. Danner was confirmed by the Senate.

Yeas 22; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Parsons
Aldridge	Cooley	Harrison	Robertson
Bailey	Corbett	Hilliard	Smith (B)
Barron	Covington	Little	Smith (J)
Bedford	Dixon	Mitchell	Teague
Bishop	Foshee	Mitchem	

Nays: —0

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Ms. Anne Bains to the Board of Trustees of the University of Montevallo.

On motion of Senator Mitchem, the appointment of Ms. Bains was confirmed by the Senate.

Yeas 23; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Parsons
Amari	Cooley	Goodwin	Proctor
Bachus	Corbett	Hilliard	Robertson
Bailey	Covington	Little	Smith (B)
Barron	Denton	Mitchell	Smith (J)
Bedford	Dixon	Mitchem	Teague

—23

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 20. COMMENDING COACH PAT DYE AND THE AUBURN UNIVERSITY TIGERS.

Also:

S. J. R. 52. RECOMMENDING TO THE AUBURN UNIVERSITY BOARD OF TRUSTEES THAT THE NEW STUDENT ACTIVITIES BUILDING ON THE AUBURN UNIVERSITY CAMPUS BE NAMED.

Also:

S. J. R. 53. ENCOURAGING THE STATE OF ALABAMA HIGHWAY DEPARTMENT TO PLACE FOOD AND BEVERAGE VENDING MACHINES IN ALL REST STOP FACILITIES OPERATED BY THE STATE OF ALABAMA LOCATED ON THE INTERSTATE FREEWAYS WITHIN ALABAMA.

Also:

S. J. R. 54. ENCOURAGING OUR CITIZENS TO SUPPORT THE ECONOMY OF ALABAMA AND THE NATION THROUGH THEIR PURCHASE AND USE OF AMERICAN-MADE GOODS.

Also:

S. J. R. 55. COMMENDING MISS STEPHANIE KAY ASHMORE, ALABAMA JUNIOR MISS.

Also:

S. J. R. 56. COMMENDING MISS ALYSSA ASHLEY OF KILLEN, LAUDERDALE COUNTY, ALABAMA, AS ALABAMA'S FAIREST OF THE FAIRS QUEEN.

Also:

S. J. R. 57. HONORING OUR ASSOCIATE, MR. THOMAS EARL GILMORE, FORMER GREENE COUNTY, ALABAMA "SHERIFF WITHOUT A GUN."

JOHN W. PEMBERTON,
Clerk.

RECESS

At 11:05 A.M., on motion of Senator Amari, the Senate took a recess to return at the call of the Chair.

At 11:15 A.M., the Senate was called to order by Lieutenant Governor Baxley. A quorum of the Senate was present.

FURTHER CONSIDERATION OF H.B. 1

The Senate proceeded to further consideration of the Bill, H.B. 1. The question was on the Committee amendment, as amended.

Senator deGraffenried offered the following substitute amendment for the Committee amendment, as amended, to-wit:

SUBSTITUTE AMENDMENT FOR COMMITTEE AMENDMENT, AS AMENDED, TO H. B. 1

Amend H. B. 1 by striking Senate Finance and Taxation Committee amendment in its entirety.

Further amend H. B. 1 as follows:

On page 1, Section 1 (a) on line 31 strike the words and figures "40 barrels" and insert in lieu thereof the words and figures "10 barrels of oil, or 400,000 cubic feet of gas."

On motion of Senator deGraffenried, said substitute amendment was postponed temporarily.

Senator Kirkland moved that further consideration of the Bill, H.B. 1, and pending Committee amendment, as amended, be postponed temporarily.

On motion of Senator Goodwin, said motion to postpone was laid on the table.

Senator Kirkland moved that further consideration of the Committee amendment, as amended, to the Bill, H.B. 1, be postponed temporarily, which motion was lost.

Yeas 11; Nays 19.

Yeas:

Senators:	Boyington	Dixon	Kirkland
Bachus	Cabaniss	Figures	Menton
Bedsole	deGraffenried	Keener	Proctor

Nays:

Senators:	Bishop	Foshee	Mitchem
Aldridge	Cooley	Goodwin	Parsons
Bailey	Corbett	Harrison	Smith (B)
Barron	Covington	Little	Smith (J)
Bedford	Denton	Mitchell	Teague

—19

Senator Kirkland then offered the following substitute amendment for the Committee amendment, as amended, to the Bill, H.B. 1, to-wit:

**SUBSTITUTE AMENDMENT FOR COMMITTEE
AMENDMENT, AS AMENDED, TO H. B. 1**

Amend H. B. 1, page 1, Sect. 1(2), Line 31, by striking out "10 barrels" and inserting "40 barrels of oil per day and 400,000 cubic feet of gas."

On motion of Senator Goodwin, said substitute amendment was laid on the table.

Senator Kirkland then offered the following substitute amendment for the Committee amendment, as amended, to the Bill, H.B. 1, to-wit:

**SUBSTITUTE AMENDMENT FOR COMMITTEE
AMENDMENT, AS AMENDED, TO H. B. 1**

Amend H. B. 1, Page 1, Section 1(2) Line 31, by striking out "10 barrels" and inserting "35 barrels of oil per day and 350,000 cubic feet of gas."

On motion of Senator Goodwin, said substitute amendment was laid on the table.

On motion of Senator deGraffenried, his substitute amendment for the Committee amendment, as amended, to the Bill, H.B. 1, having been previously postponed, was withdrawn.

Senator deGraffenried then offered the following substitute amendment for the Committee amendment, as amended, to the Bill, H.B. 1, to wit:

**SUBSTITUTE AMENDMENT FOR COMMITTEE
AMENDMENT, AS AMENDED, TO H. B. 1**

Amend H. B. 1 by striking Senate Finance and Taxation Committee amendment in its entirety.

Further amend. H. B. 1 as follows:

On page 1, Section 1 (a) on line 31 strike the words and figures "40 barrels" and insert in lieu thereof the words and figures "10 barrels of oil; provided, however, that wells producing less than 400,000 cubic feet of gas shall be taxed at the rate of 6%."

On motion of Senator Goodwin, said amendment was laid on the table.

Yeas 16; Nays 15.

Yeas:

Senators:	Cooley	Foshee	Mitchem
Aldridge	Corbett	Goodwin	Parsons
Bailey	Covington	Harrison	Smith (J)
Barron	Denton	Mitchell	Teague
Bishop			

Nays:

Senators:	Boyington	Figures	Little	
Bachus	Cabaniss	Hilliard	Menton	
Bedford	deGraffenried	Keener	Proctor	
Bedsole	Dixon	Kirkland	Smith (B)	—15

Senator deGraffenried then offered the following substitute amendment for the Committee amendment, as amended, to the Bill, H.B. 1, to-wit:

**SUBSTITUTE AMENDMENT FOR COMMITTEE
AMENDMENT, AS AMENDED, TO H. B. 1**

Amend H. B. 1 by striking Senate Finance and Taxation Committee amendment in its entirety.

Further amend. H. B. 1 as follows:

On page 1, Section 1 (a) on line 31 strike the words and figures "40 barrels" and insert in lieu thereof the words and figures "10 barrels of oil; provided, however, that wells producing less than 300,000 cubic feet of gas shall be taxed at the rate of 6%."

On motion of Senator Goodwin, said amendment was laid on the table.

Senator deGraffenried then offered the following substitute amendment for the Committee amendment, as amended, to the Bill, H. B. 1, to-wit:

**SUBSTITUTE AMENDMENT FOR COMMITTEE
AMENDMENT, AS AMENDED, TO H. B. 1**

Amend H. B. 1 by striking Senate Finance and Taxation Committee amendment in its entirety.

Further amend H. B. 1 as follows:

On page 1, Section 1 (a) on line 31 strike the words and figures "40 barrels" and insert in lieu thereof the words and figures "10 barrels of oil; provided, however, that wells producing less than 200,000 cubic feet of gas shall be taxed at the rate of 6%."

On motion of Senator Goodwin, said amendment was laid on the table.

Senator deGraffenried then offered the following substitute amendment for the Committee amendment, as amended, to the Bill, H.B. 1, to-wit:

**SUBSTITUTE AMENDMENT FOR COMMITTEE
AMENDMENT, AS AMENDED, TO H.B. 1**

Amend H. B. 1 by striking on Page 1, line 30, beginning with the word "All" and lines 31, 32, and 33 in their entirety and inserting in lieu thereof the following:

"All wells producing less than 10 barrels of oil per day shall be taxed at the rate of four percent of the gross value of said oil at the point of production. All wells producing less than 150,000 cubic feet of gas per day shall be taxed at the rate of six percent ".

On motion of Senator Goodwin, said amendment was laid on the table.

FIRST EXTRAORDINARY SESSION
5th Day

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Yeas 16; Nays 13.

Yeas:

Senators:	Cooley	Foshee	Mitchem
Aldridge	Corbett	Goodwin	Parsons
Bailey	Covington	Harrison	Smith (J)
Barron	Denton	Mitchell	Teague
Bishop			

—16

Nays:

Senators:	Cabaniss	Hilliard	Little
Bachus	deGraffenried	Keener	Menton
Bedsole	Dixon	Kirkland	Proctor
Boyington	Figures		

—13

Senator deGraffenried then offered the following substitute amendment for the Committee amendment, as amended, to the Bill, H. B. 1, to-wit:

**SUBSTITUTE AMENDMENT FOR COMMITTEE
AMENDMENT, AS AMENDED, TO H. B. 1**

Amend H. B. 1 by striking on Page 1, line 30, beginning with the word "All" and lines 31, 32, and 33 in their entirety and inserting in lieu thereof the following:

"All wells producing less than 10 barrels of oil per day shall be taxed at the rate of four percent of the gross value of said oil at the point of production. All wells producing less than 100,000 cubic feet of gas per day shall be taxed at the rate of six percent".

On motion of Senator Goodwin, said amendment was laid on the table.

And said Committee amendment, as amended, for the Bill, H. B. 1, was then adopted by the Senate.

Yeas 20; Nays 12.

Yeas:

Senators:	Bishop	Foshee	Parsons
Aldridge	Cooley	Goodwin	Proctor
Amari	Corbett	Harrison	Smith (B)
Bailey	Covington	Mitchell	Smith (J)
Barron	Denton	Mitchem	Teague
Bedford			

—20

Nays:

Senators:	Cabaniss	Figures	Kirkland
Bachus	deGraffenried	Hilliard	Little
Bedsole	Dixon	Keener	Menton
Boyington			

—12

Senator Figures offered the following amendment to the Bill, H.B. 1, as amended, to-wit:

AMENDMENT TO H. B. 1, AS AMENDED

Amend H. B. 1, Page 3, Line 10, by inserting after the period following

the word "gas" the following language:

"Any person who is a royalty owner shall be exempt from the payment of any severance or other taxes referred to herein absolutely."

On motion of Senator Goodwin, said amendment was laid on the table.

Senator Figures then offered the following amendment to the Bill, H. B. 1, as amended, to-wit:

AMENDMENT TO H. B. 1, AS AMENDED

Amend H. B. 1, Page 3, Line 10, by inserting after the period following the word gas the following language:

"Any person who is a royalty owner shall be exempt from the payment of any increase in taxes herein levied and shall not be liable therefor, notwithstanding any other language in this Act."

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolution with the original Senate Bills and Senate Resolution respectively, and finds same correctly enrolled, to-wit:

S. 3. To amend Code of Alabama 1975, Section 5-5A-20, so as to provide that the Superintendent of Banks may authorize the opening of a branch in any county if the Superintendent of Banks deems it necessary to protect the public where any bank, state or national, has been closed, is in danger of closing, or otherwise is involved in severe financial condition threatening the stability of a significant number of banks or banks possessing significant financial resources.

Also:

S. 11. To provide that the state or any public body in the state, whether a county, municipality, board of education, public corporation, public instrumentality, political subdivision, or other public entity howsoever identified, may issue its notes, bonds, certificates of indebtedness, warrants, or other securities howsoever designated, in fully registered form without coupons.

Also:

S. 12. To authorize each county in this state to sell and issue from time to time interest-bearing warrants for the purpose of paying costs of erecting necessary public buildings, bridges and roads in such county, and acquiring land therefor; to provide that such warrants shall evidence general obligation indebtedness of the county; to provide that such warrants may, at the discretion of the governing body of the county, be additionally secured by a pledge or pledges of the proceeds from certain taxes; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; to provide that such warrants shall be legal investments for fiduciaries; and to provide that the issuance of any warrants and any interest coupons applicable thereto shall constitute the audit and allowance of claims against the issuing county and any tax proceeds and revenues, or either, pledged to the payment thereof.

Also:

S. 13. To provide that the state and any public body in the state, whether a county, municipality, board of education, public corporation, public instrumentality, political subdivision, or other public entity howsoever identified, may issue its notes, bonds, certificates of indebtedness, warrants, or other securities howsoever designated, with facsimile signatures of all executing or attesting officers, officials or representatives of the issuer and a facsimile of the corporate seal, if any, of the issuer, if such securities are required to be authenticated by the manual signature of the registrar of such securities.

Also:

S. 21. To make an appropriation of Trust Income from the Alabama Heritage Trust Income Account to the Alabama Medicaid Agency for the ordinary expenses of state government for the fiscal year ending September 30, 1983.

Also:

S. 22. To amend Sections 36-17-8 and 36-17-10 of the Code of Alabama 1975, relating to the procedure for the treasurer in paying principal and interest on bonded indebtednesses and the payment on bonded indebtedness by the fiscal agent, so as to provide further for such procedure, the time-frame for the transfer of funds, and the bank designations; and to provide for certain exceptions as to existing bond debentures; to specifically repeal Sections 36-17-7 and 36-17-9 of the Code of Alabama 1975, relating to the designation of a fiscal agent for bond issue payments in only the city of New York and the method of sending money for payment of indebtedness to the fiscal agency in only such city.

Also:

S. 23. To amend Section 40-5-36, Code of Alabama 1975, so as to require the tax collector of each county to report tax collections twice a month throughout the year.

Also:

S. 25. To amend Section 41-14-34 of the Code of Alabama 1975 regarding payment of interest to the State.

Also:

S. 29. To amend Section 16-18-1 of the Code of Alabama 1975, relating to public educational building authorities, so as to permit a public educational building authority to provide facilities to an educational institution indirectly through a private person, firm or corporation.

Also:

S. J. R. 44. MOURNING THE DEATH OF ALABAMA'S BELOVED COACH PAUL WILLIAM BRYANT.

CHARLES BISHOP,
Chairperson.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by two-thirds vote of a quorum of the Senate present, and immediately after their titles had been

publicly read at length by the Secretary of the Senate, signed the foregoing Bills and Senate Joint Resolution, the titles of which are set out in the foregoing report from the Committee on Rules.

IN MEMORIAM

PAUL WILLIAM "BEAR" BRYANT

1913 - 1983

**HEAD FOOTBALL COACH,
UNIVERSITY OF ALABAMA**

1958 - 1982

**REPORT OF
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 20. COMMENDING COACH PAT DYE AND THE AUBURN UNIVERSITY TIGERS.

Also:

S. J. R. 52. RECOMMENDING TO THE AUBURN UNIVERSITY BOARD OF TRUSTEES THAT THE NEW STUDENT ACTIVITIES BUILDING ON THE AUBURN UNIVERSITY CAMPUS BE NAMED.

Also:

S. J. R. 53. ENCOURAGING THE STATE OF ALABAMA HIGHWAY DEPARTMENT TO PLACE FOOD AND BEVERAGE VENDING MACHINES IN ALL REST STOP FACILITIES OPERATED BY THE STATE OF ALABAMA LOCATED ON THE INTERSTATE FREEWAYS WITHIN ALABAMA.

Also:

S. J. R. 54. ENCOURAGING OUR CITIZENS TO SUPPORT THE ECONOMY OF ALABAMA AND THE NATION THROUGH THEIR PURCHASE AND USE OF AMERICAN-MADE GOODS.

Also:

S. J. R. 55. COMMENDING MISS STEPHANIE KAY ASHMORE, ALABAMA JUNIOR MISS.

Also:

S. J. R. 56. COMMENDING MISS ALYSSA ASHLEY OF KILLEN, LAUDERDALE COUNTY, ALABAMA, AS ALABAMA'S FAIREST OF THE FAIRS QUEEN.

Also:

S. J. R. 57. HONORING OUR ASSOCIATE, MR. THOMAS EARL GILMORE, FORMER GREENE COUNTY, ALABAMA, "SHERIFF WITHOUT A GUN."

CHARLES BISHOP,
Chairperson.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 41. COMMENDING THE CULLMAN COUNTY POULTRY ASSOCIATION.

Also:

H. J. R. 42. ENCOURAGING THE UNITED STATES CONGRESS TO REPEAL THE PROVISIONS OF THE TAX EQUALITY AND FISCAL RESPONSIBILITY ACT OF 1982, REQUIRING THE PERIODIC WITHHOLDING OF TAXES FROM INTEREST ON SAVINGS ACCOUNTS AND DIVIDENDS.

Also:

H. J. R. 43. MOURNING THE DEATH OF MRS. KATHERINE H. ROBERTS OF HARTSELLE, ALABAMA.

Also:

H. J. R. 44. MEMORIALIZING THE CONGRESS AND U. S. AGRICULTURE SECRETARY JOHN BLOCK TO WORK FOR THE REPEAL OR REVISION OF THE FOOD AGRICULTURE ACT OF 1980.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 7. Relating to Limestone County; providing a supplement to the salary of each court reporter, payable from the county treasury.

Also:

H. 21. Relating to Sumter County; prescribing certain guidelines for employing and compensating certain personnel in the sheriff's office in said county and providing that the salary of the sheriff's secretary shall be paid from the county general fund.

Also:

H. 35. To alter, rearrange and extend the boundary lines and corporate limits of the City of Florala in Covington County, Alabama, so as to include within the corporate limits of said city certain additional territory.

Also:

H. 36. Relating to Covington County; to authorize and provide for the establishment, maintenance, equipping, operation, and financing of public law libraries; to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within the county; and to repeal Act No. 1692, H. 2459, 1971 Regular Session, (Acts 1971, p. 2838).

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 1

The Senate proceeded to further consideration of the Bill, H.B. 1, as amended by the Committee amendment, as amended. The question was on the amendment offered by Senator Figures.

RESOLUTION

Senator Little offered the following Senate Resolution, to-wit:

S. R. 61. COMMENDING CHAMBERS COUNTY COMMISSION CHAIRMAN, MR. EMERSON THOMPSON.

Which was adopted.

FURTHER CONSIDERATION OF H. B. 1

The Senate proceeded to further consideration of the Bill, H.B. 1, as amended by the Committee amendment, as amended. The question was on the amendment offered by Senator Figures.

Which was lost.

Yeas 12; Nays 18.

Yeas:

Senators:	Cabaniss	Figures	Little	
Bachus	deGraffenried	Keener	Menton	
Bedsole	Dixon	Kirkland	Proctor	
Boyington				—12

Nays:

Senators:	Bedford	Foshee	Robertson	
Aldridge	Bishop	Goodwin	Smith (B)	
Amari	Cooley	Harrison	Smith (J)	
Bailey	Corbett	Mitchell	Teague	
Barron	Covington	Parsons		—18

Senator Kirkland offered the following substitute for the Bill, H.B. 1, as

amended, to-wit:

SUBSTITUTE FOR H. B. 1, AS AMENDED

**A BILL
TO BE ENTITLED
AN ACT**

To amend Section 40-20-2, Code of Alabama 1975, so as to provide an eight percent (two percent additional) statewide production privilege tax; and to provide an effective date.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 40-20-2, Code of Alabama 1975, is hereby amended to read as follows:

“§ 40-20-2. (a) There is hereby levied, to be collected hereafter, as herein provided, annual privilege taxes upon every person engaging or continuing to engage within the state of Alabama in the business of producing or severing oil or gas, as defined herein, from the soil or the waters, or from beneath the soil or the waters, of the state for sale, transport, storage, profit or for use. The amount of such tax shall be measured at the rate of six eight percent of the gross value of said oil or gas at the point of production. The additional two percent levied by this Act shall be in its entirety certified into the State Treasury to the credit of the State General Fund. All wells producing less than 40 barrels of oil per day shall be taxed at the rate of four percent of the gross value of said oil or gas at the point of production. All wells that come into production after September 1, 1979, shall be taxed at the rate of four percent of the gross value of said oil or gas at the point of production for a period of 10 years after production begins. Ten years after production begins, such tax shall then be imposed at the rate of six eight percent on such wells that go into production after September 1, 1979; provided that said additional increase shall be limited to those oil and gas wells from between 15,000 and 15,800 feet in the smackover formation.

“(b) The tax is hereby levied upon the basis of the entire production in this state, including what is known as the royalty interest, on which production the amount of such tax shall be a lien, regardless of the place of sale or to whom sold, or by whom used, or the fact that the delivery may be made to points outside the state; and the tax shall accrue at the time such oil or gas is severed from the soil or the waters, or from beneath the soil or the waters, and in its natural, unrefined or unmanufactured condition.

“(c) A county, city, town or municipality of the state of Alabama shall not establish, levy, impose or collect, as a condition of doing business or otherwise, any tax, fee, license or charge whatsoever, directly or indirectly, on or with respect to the production, treating, processing, ownership, sale, storage, purchase, marketing or transportation on any oil or gas produced in the state of Alabama and on which severance taxes have been paid to the state of Alabama, or upon the business of producing, treating, processing, owning, selling, buying, storing, marketing or transporting such oil or gas, or upon the ownership, operation or maintenance of plants, facilities, machinery, pipelines, gathering lines or any equipment whatsoever, which are, or may be, necessary or convenient to the production, treating, processing, ownership, storage, sale, purchase, marketing or transportation of such oil or gas; provided, that nothing herein shall be construed to prohibit, limit or restrict a county, city, town or municipality from imposing and collecting ad valorem taxes on any property, real or personal, not otherwise now exempted by law; further, the limitation herein imposed upon counties, cities,

towns and municipalities shall not apply to any county, city, town or municipality which does not receive a share of the severance tax under the provisions of this article.

“(d) Nothing contained herein shall be deemed to limit or to enlarge the authority of a county, city, town or municipality to levy taxes or licenses on oil refining facilities located therein or on the suppliers of services or goods not including oil or gas to those persons engaging in the business of producing, treating, processing, owning, selling, buying, storing, marketing or transporting such oil or gas. Any person who is a royalty owner shall be exempt from the payment of any increase in taxes herein levied and shall not be liable therefor.

“(e) In all cases of production of oil from unit operations as authorized and approved by the state oil and gas board of Alabama, for purposes of computing the per well production aforesaid, the aggregate production of oil from the entire unit shall be divided by the number of wells within the unit, including injection, disposal and other wells utilized in unit operations, and the quotient therefor shall be deemed and declared to be the number of barrels of oil produced from each well in such unit regardless of the actual amount of oil per day produced from the well, if any.”

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Senator Goodwin, said substitute was laid on the table.

Yeas 17; Nays 12.

Yeas:

Senators:	Bedford	Foshee	Parsons
Aldridge	Bishop	Goodwin	Smith (B)
Amari	Cooley	Harrison	Smith (J)
Bailey	Corbett	Mitchell	Teague
Barron	Covington		

—17

Nays:

Senators:	Cabaniss	Figures	Little
Bachus	deGraffenried	Keener	Menton
Bedsole	Dixon	Kirkland	Proctor
Boyington			

—12

Senator Kirkland then offered the following amendment to the Bill, H.B. 1, as amended, to-wit:

AMENDMENT TO H. B. 1, AS AMENDED

In Section 1, page 1, line 33, after the word “production,” delete the period mark and insert the following underlined additional language:

; provided further that each royalty owner in any such oil or gas well shall pay only four (4) percent tax based on the financial equivalent of the well-

head price of the first ten barrels of production for each royalty owner, and any excess over such first ten (10) barrels shall be taxed as otherwise provided herein.

On motion of Senator Goodwin, said amendment was laid on the table.

Yeas 16; Nays 11.

Yeas:

Senators:	Bishop	Foshee	Parsons
Aldridge	Cooley	Goodwin	Smith (B)
Bailey	Corbett	Harrison	Smith (J)
Barron	Covington	Mitchell	Teague
Bedford			

—16

Nays:

Senators:	Cabaniss	Figures	Little
Bachus	deGraffenried	Keener	Menton
Bedsole	Dixon	Kirkland	Proctor

—11

Senator Kirkland then offered the following amendment to the Bill, H.B. 1, as amended, to-wit:

AMENDMENT TO H. B. 1, AS AMENDED

Amend H. B. 1, Page 1, Section 1, Line 33 after the word "production" delete the period mark and insert the following underlined additional language:

; provided further that each royalty owner in any such oil or gas well shall pay four (4) percent tax based on the financial equivalent of the well-head price on the first three barrels of production for each royalty owner, and any excess over such amount shall be taxed as otherwise provided herein.

On motion of Senator Goodwin, said amendment was laid on the table.

Senator Kirkland then offered the following amendment to the Bill, H.B. 1, as amended, to-wit:

AMENDMENT TO H. B. 1, AS AMENDED

Amend H. B. 1, as amended, Page 1, Line 41, by striking out the numbers "10" and inserting in lieu thereof the numbers "20"

On motion of Senator Goodwin, said amendment was laid on the table.

Yeas 16; Nays 13.

Yeas:

Senators:	Bishop	Foshee	Parsons
Aldridge	Cooley	Goodwin	Smith (B)
Bailey	Corbett	Harrison	Smith (J)
Barron	Covington	Mitchell	Teague
Bedford			

—16

Nays:

Senators:	Cabaniss	Hilliard	Little
Bachus	deGraffenried	Keener	Menton
Bedsole	Dixon	Kirkland	Proctor
Boyington	Figures		

—13

And said Bill, H. B. 1, as amended by the Committee amendment, as amended, was read a third time at length and passed.

Yeas 20; Nays 13.

Yeas:

Senators:	Bishop	Foshee	Mitchem
Aldridge	Cooley	Goodwin	Parsons
Amari	Corbett	Hilliard	Proctor
Bailey	Covington	Holmes	Smith (J)
Barron	Denton	Mitchell	Teague
Bedford			

-- 20

Nays:

Senators:	Cabaniss	Harrison	Little
Bachus	deGraffenried	Keener	Menton
Bedsole	Dixon	Kirkland	Smith (B)
Boyington	Figures		

—13

Senator Proctor moved that the Senate reconsider the vote by which the Bill, H.B. 1, as amended, was passed.

On motion of Senator Goodwin, said motion to reconsider was laid on the table.

Yeas 16; Nays 11.

Yeas:

Senators:	Barron	Corbett	Parsons
Aldridge	Bedford	Covington	Smith (B)
Amari	Bishop	Foshee	Smith (J)
Bachus	Cooley	Goodwin	Teague
Bailey			

—16

Nays:

Senators:	Cabaniss	Hilliard	Little
Bedsole	deGraffenried	Keener	Menton
Boyington	Figures	Kirkland	Proctor

—11

On motion of Senator Teague, consideration of the Bills, H.B.'s 2, 6, 4, and 3 were postponed temporarily.

The Bill:

H. 5. To create a department of corrections headed by and under the direction, supervision and control of a commissioner of corrections and to provide for his appointment and term of office and compensation; to transfer to the department all powers, authority and responsibilities which, prior to the enactment of sections 14-1-15 through 14-1-17, Code of Alabama 1975, as amended, were vested in the board of corrections and which by such statutes were transferred to the governor of the state of Alabama; to

provide for the appointment of deputy commissioners by the commissioner to serve at his pleasure and to provide for their compensation, and to repeal conflicting laws and specific statutes pertaining to the governor and the former board of corrections and any inconsistencies contained in Title 14, Chapters 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 of the Code of Alabama 1975, as amended, which conflict with or are inconsistent with any provision of this act.

was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Senators:	Bishop	Figures	Little	
Aldridge	Boyington	Foshee	Mitchem	
Amari	Cabaniss	Goodwin	Parsons	
Bachus	Cooley	Harrison	Proctor	
Bailey	Corbett	Hilliard	Smith (B)	
Barron	Covington	Keener	Smith (J)	
Bedford	deGraffenried	Kirkland	Teague	
Bedsole	Denton			—29
				—0

Nays:

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Waggoner:

H. J. R. 52. COMMENDING BERRY HIGH SCHOOL, BIRMINGHAM, ALABAMA, AS STATE 4-A FOOTBALL CO-CHAMPIONS FOR 1982.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Amari, the Rules were suspended and the Resolution, H.J.R. 52, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 12. CREATING AN INTERIM LEGISLATIVE COMMITTEE TO ASSESS THE IMPACT OF THE COMPLETION OF THE TENNESSEE-TOMBIGBEE WATERWAY.

On motion of Senator Bedsole, the Resolution was then concurred in and adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, re-

ported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 24. CREATING AN INTERIM COMMITTEE ON FINANCES AND BUDGETS.

Senator Little offered the following substitute for the Resolution, H.R.J. 24, to-wit:

SUBSTITUTE FOR H. J. R. 24.

CREATING AN INTERIM COMMITTEE ON FINANCES AND BUDGETS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created an Interim Committee on Finances and Budgets to meet during the interim periods between the regular sessions of the Legislature, during which periods the members, including ex officio members, shall each be entitled to, and shall receive, the same daily legislative compensation, expense allowances, per diem and other compensation which they receive while in legislative session, and in the same manner and under the same conditions as when they meet in legislative session. Provided, however, that said Committee shall not be paid for more than 30 calendar days in any single interim period. The compensation of Committee employees shall be paid as provided in Sections 29-1-9 and 29-1-10 of the Code of Alabama 1975. It shall be the duty of the Committee to make a careful investigation and study of the financial condition of the state, hold budget hearings, inquire into ways and means of financing state government and its programs, and report its findings and recommendations as herein provided. The Committee shall be composed of the Chairman and Deputy Chairman of the Senate Committee on Finance and Taxation and seventeen members of the Committee on Finance and Taxation to be appointed by the Lieutenant Governor, the President Pro Tempore of the Senate, the Lieutenant Governor, and the members of the House Standing Committee on Ways and Means, the Speaker Pro Tempore of the House, and the Speaker of the House, and four additional members of the House to be appointed by the Speaker of the House of Representatives. The President and the President Pro Tempore of the Senate and the Speaker and the Speaker Pro Tempore of the House shall be Ex Officio voting members of the Committee.

The Chairman of the Senate Committee on Finance and Taxation and the Chairman of the House Ways and Means Committee shall be Co-Chairmen. The said Co-Chairmen shall set the schedule and program for committee work. The said Co-Chairmen shall fix the days and hours of meeting and conducting hearings and examining witnesses who appear before the Committee. The said Co-Chairmen may appoint subcommittees and invest them with such authority as may be deemed necessary to conduct the Committee's business and expedite its work. The Committee may employ such clerical and expert assistance as the Committee may find necessary in performing its duties.

All departments, boards, bureaus, commissions, agencies, offices and institutions of the state shall and are hereby directed to cooperate fully with the Committee and shall furnish any and all information that may be requested by the Committee.

BE IT FURTHER RESOLVED, That the final report of the Committee, along with findings and recommendations, shall be submitted to the

Governor and to each member of the Legislature no later than the fifth legislative day of the regular session. Said Committee shall terminate November 1, 1986.

Which was adopted.

And on motion of Senator Little, said Resolution, H.J.R. 24, as amended by the substitute, was then concurred in and adopted by the Senate.

RECESS AND MOTION TO ADJOURN

At 7:20 P.M., Senator Teague moved that the Senate take a recess, to return at the call of the Chair, and further moved that when the Senate adjourns today, it adjourn sine die, which motion was adopted.

At 7:30 P.M., the Senate was called to order by Lieutenant Governor Baxley. A quorum of the Senate was present.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a Message from the Governor.

Respectfully submitted,

ELVIN STANTON,
Executive Secretary.

Done this 29th day of January, 1983.

January 29, 1983

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Governor Baxley, Lady and Gentlemen:

I realize that the federally imposed deadline for reapportionment of the Alabama Legislature is drawing nigh. I know that you wish to resolve this matter as soon as possible. Therefore, I am asking that you return to Montgomery in extraordinary session on Tuesday, February 1, 1983 at 6:00 p.m.

Sincerely yours,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, was read and ordered spread upon the Journal.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

JOURNAL OF THE SENATE, 1983
5th Day

H. 1. To amend Code of Alabama 1975, §§40-20-2 and 40-20-8, so as to delete certain exemptions and provide an eight (two percent additional) percent statewide production privilege tax and to rescind royalty owners tax exemptions so that contracts will not be impaired, to amend the allocation and distribution formula, and to provide an effective date.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Joint Resolution:

H. J. R. 24. RELATIVE TO CREATING AN INTERIM COMMITTEE ON FINANCES AND BUDGETS.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 3. CREATING A JOINT LEGISLATIVE COMMITTEE ON INDUSTRIAL EXPANSION, ECONOMIC GROWTH, AND JOBS.

Also:

S. J. R. 51. CREATING A JOINT INTERIM COMMITTEE TO STUDY SMALL BUSINESS.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 1. To amend Code of Alabama 1975, §§40-20-2 and 40-20-8, so as to delete certain exemptions and provide an eight (two percent additional) percent statewide production privilege tax and to rescind royalty owners tax exemptions so that contracts will not be impaired, to amend the allocation and distribution formula, and to provide an effective date.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 5. To create a department of corrections headed by and under the direction, supervision and control of a commissioner of corrections and to provide for his appointment and term of office and compensation; to transfer to the department all powers, authority and responsibilities which, prior to the enactment of sections 14-1-15 through 14-1-17, Code of Alabama 1975, as amended, were vested in the board of corrections and which by such statutes were transferred to the governor of the state of Alabama; to provide for the appointment of deputy commissioners by the commissioner to serve at his pleasure and to provide for their compensation, and to repeal conflicting laws and specific statutes pertaining to the governor and the former board of corrections and any inconsistencies contained in Title 14, Chapters 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 of the Code of Alabama 1975, as amended, which conflict with or are inconsistent with any provision of this act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 12. CREATING AN INTERIM LEGISLATIVE COMMITTEE TO ASSESS THE IMPACT OF THE COMPLETION OF THE TENNESSEE-TOMBIGBEE WATERWAY.

Also:

H. J. R. 52. COMMENDING BERRY HIGH SCHOOL, BIRMINGHAM, ALABAMA, AS STATE 4-A FOOTBALL CO-CHAMPIONS FOR 1982.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 24. CREATING AN INTERIM COMMITTEE ON FINANCES AND BUDGETS.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

**REPORT OF
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 3. CREATING A JOINT LEGISLATIVE COMMITTEE ON INDUSTRIAL EXPANSION, ECONOMIC GROWTH, AND JOBS.

Also:

S. J. R. 51. CREATING A JOINT INTERIM COMMITTEE TO STUDY SMALL BUSINESS.

CHARLES BISHOP,
Chairperson.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolutions and Senate Bills delivered to the Governor, with the date and hour of delivery, to-wit:

S. J. R. 2.

S. J. R. 4.

S. J. R. 6.

S. J. R. 7.

S. J. R. 16.

S. J. R. 18.

S. J. R. 21.

S. J. R. 22.

S. J. R. 23.

Delivered to the Governor, January 27, 1983, at 2:23 P. M.

S. B. 3.

S. B. 11.

S. B. 12.

S. B. 13.

S. B. 21.

S. B. 22.

S. B. 23.

S. B. 25.

S. B. 29.

S. J. R. 44.

S. J. R. 20.

S. J. R. 52.

S. J. R. 53.

S. J. R. 54.

S. J. R. 55.

S. J. R. 56.

S. J. R. 57.

Delivered to the Governor, January 29, 1983, at 3:35 P. M.

S. J. R. 3.

S. J. R. 51.

Delivered to the Governor, January 31, 1983, at 9:45 A. M.

McDOWELL LEE,
Secretary of Senate.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journals of the Senate for the Fourth and Fifth Legislative Days and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,
Chairperson.

COMMITTEE REPORT

On motion of Senator Bishop, the foregoing report was concurred in and the Journals of the Senate for the Fourth and Fifth Legislative Days were approved by the Senate.

ADJOURNMENT

At 7:50 P.M., on motion of Senator Little, in accordance with motion heretofore adopted, the Senate adjourned sine die.

/s/McDOWELL LEE,
Secretary of Senate.

LEGISLATIVE DAYS
FIRST EXTRAORDINARY SESSION, 1983

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THIRD DAY—Thursday, January 27, 1983	41
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FIFTH DAY—Saturday, January 29, 1983	91

FIRST SPECIAL SESSION, 1983**TOPIC INDEX****ACTS AMENDED, GENERAL ACTS**

Act no. 82-561, p. 922, Alabama life and disability insurance guaranty association act
SB 36, page 43

ACTS REPEALED, LOCAL ACTS

Covington county, Act no. 1692, 1971 reg. sess., p. 2838, law libraries
HB 36, pages 54, 90, 101, 116, Act no. 83-68

ADMINISTRATIVE PROCEDURE ACT

Amended to clarify effective date and publication date
SB 10, page 6
SB 16, pages 7, 33

ADVERTISING

Of insurance, Alabama life and disability insurance guaranty association act amended relative to
SB 36, page 43

AGRICULTURE AND INDUSTRIES, COMMISSIONER OF

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SB 4, pages 5, 35, 75

AIR TRANSPORTATION AND SERVICE, DEPARTMENT OF

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SB 8, pages 6, 34, 77

ALCOHOLIC BEVERAGE LICENSING CODE

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SB 27, pages 9, 32, 76, 83

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Medicaid agency, Alabama, from Alabama heritage trust income account
SB 21, pages 8, 31, 61, 62, 91, 111, 127, Act no. 83-77
HB 2, pages 55, 89, 120

AUBURN UNIVERSITY

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SB 28, pages 9, 56

AUDITOR, STATE

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SB 18, pages 8, 32, 74

Expense allowance for
SB 17, pages 8, 33, 78

BANKS, SUPERINTENDENT OF

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SB 3, pages 5, 34, 76, 91, 110, 127, Act no. 83-73

BARTENDERS

Responsibilities of, according to amendment of alcoholic beverage licensing code
SB 27, pages 9, 32, 76, 83

BONDED INDEBTEDNESS

Procedure for state treasurer to pay principal and interest on
SB 22, pages 8, 31, 60, 63, 92, 111, 127, Act no. 83-78
HB 6, pages 50, 89, 120

BRANCH BANKS

Authorized, when bank is in severe financial condition threatening stability
SB 3, pages 5, 34, 76, 91, 110, 127, Act no. 83-73

BUILDING AUTHORITIES

Public educational, authorized to provide facilities to an educational institution indirectly through a private person, firm, or corporation
SB 29, pages 9, 33, 79, 99, 111, 127, Act no. 83-81

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SB 12, pages 7, 33, 73, 92, 110, 127, Act no. 83-75

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SB 26, page 9

CODE OF ALABAMA, 1975

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CODE OF ALABAMA, 1975, AMENDED

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SB 3, pages 5, 34, 76, 91, 110, 127, Act no. 83-73

Section 9-11-235.1, taking or hunting raccoons or opossums at night
SB 7, pages 5, 35, 84

Section 11-47-15, wharves and wharf sites
SB 34, pages 30, 56

Section 12-15-7, juvenile probation officers
SB 5, pages 5, 32

Section 16-18-1, public educational building authorities
SB 29, pages 9, 33, 79, 99, 111, 127, Act no. 83-81

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Section 28-3A-25, alcoholic beverage licensing code
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Section 32-8-86, removal or falsification of serial numbers on vehicles
SB 14, pages 7, 32

Section 36-16-3, staff of state auditor
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Sections 36-17-8 and 36-17-10, procedure for payment of principal and
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SB 15, page 7

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the prison system by the governor
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city of New York
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corrections
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SB 30, page 29
HB 5, pages 52, 89, 120, Act no. 83-69

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Procedure for tax collectors to report twice a month
SB 23, pages 9, 32, 60, 92, 111, 127, Act no. 83-79
HB 4, pages 53, 89, 120

Securities may be issued by, in fully registered form without coupons
SB 11, pages 6, 34, 77, 92, 110, 127, Act no. 83-74

Securities may be issued by, with facsimile signatures
SB 13, pages 7, 34, 82, 92, 111, 127, Act no. 83-76

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Securities may be issued in fully registered form without, by state,
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demnation provided
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through a private person, firm, or corporation
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Valley high school not eligible for post-season competition
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SB 11, pages 6, 34, 77, 92, 110, 127, Act no. 83-74

Securities may be issued by, with facsimile signatures

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- Brazeal, hon. Thomas J., death mourned
SR 41, page 39
- Bryant, coach Paul William (Bear), death mourned
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- Caldwell, mrs. Martha Holley, death mourned
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- Dulaney, hon. Walter W., death mourned
SR 26, page 38
- Giles, former senator Jack, death mourned
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- Ingram, hon. Charles L., death mourned
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- Johnson, hon. Charles, wishes for a speedy recovery
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- McKinnis, hon. Clifton T., death mourned
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- Thompson, mr. Willie, death in Wilcox county industrial accident
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- Anderson, hon. Neil, Alexander city man of the year, commended
SR 58, page 90
- Ashley, miss Alyssa, Alabama's fairest of the fairs queen, commended
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- Auburn agricultural experiment station, faculty and staff commended
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HJR 26, page 47
- Auburn university football team commended for excellent season
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- Berry high school football team commended as state 4-A football co-champions
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- Braly, mrs. Jean D., commended
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- Deal, mrs. Maurice E., commended
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- Duncan, miss Susan Glasgow, 1983 Alabama textile queen, commended
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- Dye, coach Pat, of Auburn university, commended for excellent season
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- English, mrs. Mike (Sandy), Brewton's 1983 woman of the year, commended
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- Erwin, miss Melissa Vaughn, 1982 maid of cotton, commended
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- Eubanks, mrs. Pauline C., commended on retirement as Montgomery circuit clerk
HJR 38, pages 66, 102, Act no. 83-60
- Farrow, former sheriff James T., of Tallapoosa county, commended
SR 59, page 90
HJR 31, pages 47, 58, Act no. 83-50
- Gay, hon. Robert W., soil conservationist of the year
SR 12, page 17
- General motors, Rochester products division, commended for pioneering a high tech research center in Tuscaloosa
HJR 17, pages 28, 45, Act no. 83-43
- Geraldine 6th graders commended on their 50th basketball victory
HJR 30, pages 47, 58, Act no. 83-49

- Gilmore, former sheriff Thomas Earl, of Greene county, honored
SJR 57, pages 87, 106, 114, 127, Act no. 83-89
- Gwaltney, hon. Eugene C., jr., commended
SJR 22, pages 36, 42, 62, 127, Act no. 83-99
- Holliday, miss Polly, commended as Montevallo alumna of the year
SJR 18, pages 19, 42, 61, 127, Act no. 83-97
- James, former governor Fob, honored
SJR 16, pages 18, 42, 61, 127, Act no. 83-96
- Jeffers, reverend John H., of Auburn
SJR 4, pages 14, 42, 61, 126, Act no. 83-93
- Kaufmann, city councilman Earnest Carl, II, of Huntsville, commended
SR 32, page 39
- Knapp, general Robert Duane, commended
SR 42, page 39
- Maples, mrs. Nancy J., commended
SR 38, page 39
- McGraw, hon. Edgar Leon, commended upon retirement from agricultural experiment station
SJR 23, pages 37, 42, 62, 127, Act no. 83-100
- McMillan, former lieutenant governor George, commended for distinguished leadership
HJR 35, pages 48, 59, Act no. 83-54
- McMullen, mrs. Lyla, commended
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- Mizell, mrs. Frances, commended
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- Morrison, dr. R. D., president of Alabama A & M university, commended
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- Murry, dr. Charles S., assistant dean of Miles college school of law, commended
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- Nance, hon. Clarence B., commended
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- Pope, mrs. Sandy, commended
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- Ritland, dr. Ray, retired Auburn professor, commended
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- Sellers, hon. Bernard, Brewton's 1983 man of the year, commended
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- Simms, mrs. Martha, commended
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Steele, mrs. Louise S., commended
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Thomas, hon. Jimmy, commended
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HJR 17, pages 28, 45, Act no. 83-43

University of Alabama commended for pioneering a high tech research center in Tuscaloosa
HJR 17, pages 28, 45, Act no. 83-43

Vallery, professor Georgia, commended on retirement from Auburn faculty
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SR 43, page 39

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JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
SECOND
EXTRAORDINARY
SESSION OF 1983

HELD IN THE CITY OF MONTGOMERY, ALABAMA
COMMENCING TUESDAY, FEBRUARY 1, 1983



WITH AN INDEX PREPARED BY THE
SECRETARY OF THE SENATE

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1. Legislative roster, listing names and addresses of all members of the current Legislature by district;
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3. A topic index of general bills listed alphabetically by subject matter;
4. A topic index of local bills listed alphabetically by counties;
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6. A miscellaneous index, including all items not categorized as bills or resolutions;
7. A sponsor index, listing all Senate bills and resolutions alphabetically by author;
8. A Senate bill numerical index, with short titles; and
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JOURNAL OF THE SENATE
OF THE
STATE OF ALABAMA
SECOND EXTRAORDINARY SESSION
OF 1983

FIRST LEGISLATIVE DAY
TUESDAY, FEBRUARY 1, 1983

BE IT REMEMBERED, that on the 1st day of February, A.D., 1983, George Wallace, Governor of the State of Alabama, issued his proclamation in words and figures as follows, to-wit:

STATE OF ALABAMA
PROCLAMATION
BY THE GOVERNOR

WHEREAS I FIND, based upon the advice of the Legislature, that there exists an extraordinary occasion in the State of Alabama, which demands the convening of the Legislature of Alabama in extraordinary session as prescribed by Article V, Section 122, of the Constitution of Alabama 1901:

NOW, THEREFORE, I, George C. Wallace, as Governor of the State of Alabama, do hereby proclaim and direct, upon the advice, and at the request of the Legislature, that the Legislature of the State of Alabama convene in extraordinary session at the seat of Government, at the State Capitol in Montgomery, Alabama, at 6:00 p.m., on Tuesday, February 1, 1983, and, I do hereby designate the following subjects and matters, which I as Governor, on the advice of the Legislature, be necessary to be considered and acted upon by said Legislature in extraordinary session assembled:

1. Legislation to reapportion the legislative districts of the State of Alabama, including both the districts of the State House of Representatives and the districts of the State Senate, so as to provide a fair, equitable, non-discriminatory, and constitutional method for the citizens of the State of Alabama to elect their Legislators.
2. Legislation to modify, alter or amend existing unemployment compensation statutes and/or to otherwise deal with the problem of the inadequacy of existing unemployment compensation benefits and unemployment compensation funding.
3. Local Legislation.

IN WITNESS WHEREOF, I have hereunto set my hand as Governor of the State of Alabama and caused this proclamation to be attested by the Secretary of State, at the capitol, in the City of Montgomery, on this 1st day of February, 1983.

GEORGE C. WALLACE,
Governor.

ATTEST:

DON SIEGELMAN
Secretary of State.

Pursuant to such proclamation, at the hour of 6 o'clock P.M., on Tuesday, February 1, 1983, the Senators in the Legislature of Alabama assembled in the Senate Chamber.

The Senate was called to order by the Honorable Bill Baxley, Lieutenant Governor and President and Presiding Officer of the Senate. McDowell Lee, Secretary, was present and acted as such according to law.

PRAYER

The Session was opened with prayer by the Reverend Jerry Irwin, Pastor, Vaughn Road Church of God, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Boyington	Figures	Menton
Aldridge	Cabaniss	Foshee	Mitchell
Amari	Cooley	Goodwin	Mitchem
Bachus	Corbett	Harrison	Parsons
Bailey	Covington	Hilliard	Proctor
Barron	deGraffenried	Keener	Robertson
Bedford	Denton	Kirkland	Smith (J)
Bedsole	Dixon	Little	Teague
Bishop			

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LEAVE OF ABSENCE

On motion of Senator Teague, leave of absence was granted Senators Holmes, Pearson, and Smith (B) for today.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Holley:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That a committee of three members of the House, to be named by the Speaker of the House, and three members of the Senate, to be named by the Presiding Officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

And the Speaker has named Representatives Goodwin, Blake and Trammell.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Teague, the Rules were suspended and the Resolution, H.J.R. 2, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as members on part of the Senate Senators Kirkland, Smith (J), and Menton.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Holley:

H. J. R. 3. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That a joint session of the House and Senate be held at 6:30 P.M. on February 1, 1983 for the purpose of hearing the message of the Honorable George C. Wallace, Governor of Alabama.

AND BE IT FURTHER RESOLVED, That a committee of three from the House, to be named by the Speaker of the House, and a committee of three from the Senate to be named by the Presiding Officer of the Senate, be appointed to wait upon the Governor and advise him that the two Houses will meet in joint session at the hour named above, for the purpose of receiving his message, and that said Committee also serve as a Committee to escort the Governor to the House for the joint session.

And the Speaker has appointed Reps. Goodwin, Blake and Trammell.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Teague, the Rules were suspended and the Resolution, H.J.R. 3, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as members on part of the Senate Senators Goodwin, Hilliard, and Cooley.

MESSAGE FROM THE HOUSE

Mr. President:

I have been directed by the House to advise the Senate that the House is now in session and is ready for the transaction of public business.

JOHN W. PEMBERTON,
Clerk.

RECESS

At 6:10 P.M., Senator Teague moved that the Senate take a recess until 6:30 P.M., at which time the Message of His Excellency, the Governor, will be delivered in Joint Session, and further moved that at the completion of the Joint Session, the Senate re-assemble in the Senate Chamber, which motion was adopted.

JOINT SESSION

At 6:30 P.M., the Senate assembled in the Hall of the House of Representatives for the purpose of hearing the message of His Excellency, the Governor, Honorable George Wallace.

The Session was called to order by Lieutenant Governor Bill Baxley, President and Presiding Officer of the Senate. A quorum of the Legislature was present.

Thereupon, the Honorable George Wallace was escorted to the chair and delivered his address to the Legislature of Alabama.

The purpose of the Joint Session having been accomplished, and in accordance with motion heretofore adopted, at 7:20 P.M., the Senate re-assembled in the Senate Chamber and was called to order by the Honorable Bill Baxley, President and Presiding Officer of the Senate.

ROLL CALL

Present:

Senators:	Boyington	Figures	Menton
Aldridge	Cabaniss	Foshee	Mitchell
Amari	Cooley	Goodwin	Mitchem
Bachus	Corbett	Harrison	Parsons
Bailey	Covington	Hilliard	Proctor
Barron	deGraffenried	Keener	Robertson
Bedford	Denton	Kirkland	Smith (J)
Bedsole	Dixon	Little	Teague
Bishop			

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RESOLUTIONS

Senator Teague offered the following Senate Joint Resolution, to-wit:

S. J. R. 1. ENDORSING THE PROCLAMATION OF FEBRUARY 1983 AS MEDICAL EYE MONTH.

WHEREAS, sight is one of mankind's most important senses; and

WHEREAS, every Alabamian should have medical eye care available for the preservation of sight; and

WHEREAS, every Alabamian should be aware that quality medical eye care is available throughout the State of Alabama; and

WHEREAS, the Alabama Academy of Ophthalmology, our State's society of Eye Physicians, is working to inform Alabamians of the need for proper medical eye examinations; and

WHEREAS, the Alabama Chapter of the American Association of Workers for the Blind and the Alabama Academy of Ophthalmology are jointly sponsoring the first Eye Injury Registry in the nation to promote the prevention and adequate treatment of eye injuries; and

WHEREAS, many Alabamians are experiencing significant economic and unemployment problems which may prevent their obtaining proper medical eye examinations; and

WHEREAS, participating ophthalmologists throughout Alabama will provide free vision/glaucoma screening in their offices from 2:00 p.m. until 4:00 p.m. on Wednesday, February 9; Wednesday, February 16; and Wednesday February 23; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby endorse the proclamation of February 1983, as Medical Eye Month in the State of Alabama, and do commend the Alabama Chapter of the American Association of

Workers for the Blind and the Alabama Academy of Ophthalmology for their establishment of the nation's first statewide Eye Injury Registry.

On motion of Senator Teague, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Robertson and deGraffenried offered the following Senate Joint Resolution, to-wit:

S. J. R. 2. COMMENDING THE B. F. GOODRICH TUSCALOOSA PLANT.

WHEREAS, in a desire to recognize those whose actions bespeak of community concern and of the well-being of the State of Alabama, we hereby most highly commend the officials of the B. F. Goodrich Tuscaloosa plant; and

WHEREAS, the company, as one of several parties, has recently entered into contract with the City of Tuscaloosa Solid Waste Authorities; the Cities of Tuscaloosa and Northport, as well as Tuscaloosa County have further contracted to provide SWA with all waste products collected to be delivered to the incinerators of a new waste conversion plant soon to be constructed; and

WHEREAS, the key contract to the success of such a program, however, is the agreement of Goodrich to purchase the steam generated by the conversion process to be used as the source of heat and hot water for the plant; and

WHEREAS, it is to be noted that some 90% of the income for the Tuscaloosa SWA will be realized from the sale of steam to the Goodrich plant, a significant factor in the success of a program which will greatly and beneficially affect both the environmental and economic climate of the area; and

WHEREAS, the Goodrich Company is indeed deserving of our praise and appreciation for its corporate citizenship, and for its foresight in an investment now which will later result in savings both for the company and consumer through constancy in fuel costs as opposed to the probable increased future costs of other fuels; and

WHEREAS, this program also will eliminate the environmental hazards of landfills, and other undesirable methods of waste disposal, for the community; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we extend utmost praise of the officials of the Tuscaloosa B. F. Goodrich Company for their instrumentality in making possible the first such waste conversion program in Alabama and just one of few in the entire nation.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to the B. F. Goodrich Company in Tuscaloosa in small token of our deep appreciation and regard.

On motion of Senator Robertson, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Reso-

lution and sends same herewith to the Senate for its consideration:

By Rep. Holley:

H. J. R. 9. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That when we adjourn today, Tuesday, February 1, 1983, we adjourn to meet again Thursday, February 3, 1983, at 10 o'clock A.M.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Teague, the Rules were suspended and the Resolution, H.J.R. 9, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senators Proctor, Keener, deGraffenried, Mitchell, and Mitchem:

S. 1. To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census.

Committee on Governmental Affairs.

By Senators Covington, Foshee, Aldridge, Keener, Bishop, Bedford, and Kirkland:

S. 2. Requiring contractors on certain public projects to use domestically produced steel under pain of contract revocation for violation.

Committee on Business and Labor Relations.

By Senator Teague:

S. 3. To provide further for exemptions from the requirement of continuing legal education; to exempt the governor, lieutenant governor, members of the legislature, secretary of the senate, clerk of the house, and employees of legislative reference service, should they be attorneys, from the requirement of mandatory continuing legal education.

Committee on Judiciary.

By Senators Kirkland, Foshee, Parsons, Covington, Robertson, Teague, Bedford, Aldridge, Denton, Little, and Barron:

S. 4. To amend Section 9-11-235.1 of the Code of Alabama 1975, so as to provide further for taking or hunting raccoons or opossums at night.

Committee on Agriculture, Conservation, and Forestry.

By Senators Bailey, Bachus, Bedford, and Aldridge:

S. 5. To amend section 15-13-2, Code of Alabama 1975, which allows bail as a matter of right in certain cases, so as to provide that persons charged with driving under the influence of alcohol or controlled substances may be detained for a reasonable amount of time before they make bail

provisions.

Committee on Judiciary.

By Senator Parsons:

S. 6. To amend the Alcoholic Beverage Licensing Code (§ 28-3A-25) so as to include certain offenses in the proscribed unlawful acts and offenses.

Committee on Judiciary.

By Senator Parsons (With Notice and Proof):

S. 7. Relating to the Tenth Judicial Circuit of Alabama, including the Bessemer Division thereof; to provide that if a defendant in a criminal case enters a written plea of not guilty prior to his arraignment such plea shall constitute waiver of his right to have an arraignment at which he is present in person or represented by an attorney.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S.B. 7, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Parsons:

S. 8. To amend Section 32-8-86, Code of Alabama 1975, relating to the removal or falsification of an identification number, registration or license date of a vehicle or an engine, so as to provide for the forfeiture and condemnation of any item seized pursuant to this section.

Committee on Judiciary.

By Senator Parsons (With Notice and Proof):

S. 9. Relating to Jefferson County, City of Birmingham and the State of Alabama; providing further for an additional expense allowance of the two (2) Associate Board Members of the Jefferson County Board of Equalization and Adjustments, payable from the general funds of Jefferson County, from the general funds of the City of Birmingham and from the general funds of the State of Alabama; providing for an expiration date.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S.B. 9, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Parsons (With Notice and Proof):

S. 10. Relating to Jefferson County; providing further for an additional expense allowance of the Assistant Tax Assessor and Assistant Tax Collector, payable from the general fund of the county; providing for an expiration date.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill,

S.B. 10, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Barron:

S. 11. To prohibit certain high school officials from making payments to the Alabama High School Athletic Association if said association fails to recognize Paint Rock Valley High School in Jackson County for post-season athletic competition.

Committee on Buildings and Grounds.

By Senator Smith (J):

S. 12. To repeal Section 19 of Act No. 82-561, S. 102, Regular Session 1982 (Acts 1982, p. 922), relating to the Alabama Life and Disability Insurance Guaranty Association Act, which section prohibits the use of advertising of the Life and Disability Insurance Guaranty Association for purposes of sales, solicitation, or inducement to purchase any form of insurance covered by said act.

Committee on Banking and Insurance.

By Senator deGraffenried:

S. 13. To adopt and incorporate into the Code of Alabama 1975 all general and permanent classified municipal laws of the State adopted by the legislature during the 1979 and 1980 Sessions and the 1981 Regular Session and all general and permanent laws, including the classified municipal laws, of the State adopted by the legislature during the 1981 First, Second and Third Special Sessions, the 1982 Regular Session and the 1982 First Special Session, as contained in the 1982 Cumulative Supplement to the Code of Alabama 1975, and to make certain corrections in such cumulative supplement; to adopt and incorporate into the Code of Alabama 1975 the Intestate Succession and Wills Act (Act No. 82-399, S. 49, 1982 Regular Session, referred to as the Probate Code) as contained in Chapter 8 of Title 43 of the 1982 Replacement Volume 22 of the Code; and to adopt and incorporate into the Code of Alabama 1975 all general and permanent laws of the State adopted by the legislature during the 1982 Second Special Session as contained in the 1982 Interim Supplement to the Code of Alabama 1975.

Committee on Governmental Affairs.

By Senator Hilliard:

S. 14. To amend the Title and Section 1 of Act No. 79-722 adopted at the 1979 Regular Session of the Legislature of Alabama approved August 8, 1979, as amended by Act No. 80-315 adopted at the 1980 Regular Session of the Legislature of Alabama approved May 6, 1980, and by Act No. 82-440 enacted at the 1982 Regular Session of the Legislature of Alabama and codified in Article 5 of Title 11, Code of Alabama 1975: authorizing Class 4, 5, 6, 7, 8 municipalities in this state to acquire properties suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such properties subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such proper-

ties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof, so as to make said Act as amended applicable to Class 1, 2 or 3 municipalities in the state and to industrial development boards created under Division 1 of Article 4 of Chapter 54, Title 11, Code of Alabama 1975, as amended, to include projects providing hotel, motor inn, and similar daily or monthly lodging services, amending title to encompass amendment made in said Act No. 82-440 and ratifying and confirming said Acts 80-315 and 82-440, permitting municipalities, under certain conditions, to lease or sell municipal properties for such projects, as heretofore provided, and to except contracts incident to such projects from competitive bidding.

Committee on Industrial Expansion,
Economic Growth, and Jobs.

By Senator Hilliard:

S. 15. To amend Section 11-47-15 of the Code of Alabama 1975 to extend to twenty-five miles, the distance within which any city or town may construct and maintain wharves and wharf sites and collect wharfage dues and other charges thereon and otherwise operate such facilities as authorized by said Section.

Committee on Industrial Expansion,
Economic Growth, and Jobs.

By Senator Hilliard:

S. 16. To amend Section 11-54-80, as heretofore amended, to include as permissible projects hotels, motor inns and similar short-term lodging facilities.

Committee on Industrial Expansion,
Economic Growth, and Jobs.

By Senator Parsons:

S. 17. To amend Section 16-22-6, Code of Alabama, 1975, so as to provide further for payroll deductions for educational employees and for Public Employees' Individual Retirement Account Fund (PEIRAF) created by Act 82-776.

Committee on Education.

By Senator Hilliard (With Notice and Proof):

S. 18. To authorize Class I cities to establish Enterprise Zones in areas of pervasive poverty, unemployment and economic distress and to carry out programs to encourage private investment and to create jobs in such areas,

and to authorize agencies of such cities, the county governing body and state and county agencies to carry out similar programs in such Enterprise Zones, including, but not limited to, reduction of tax rates, license rates and fees, improvement of public services and reduction and modification of regulatory requirements within such zones, and to provide other services and to modify other requirements as may be necessary or desirable to qualify for financial assistance to such Class I cities or private entities within such zones under any act of the Congress of the United States heretofore or hereafter enacted.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S.B. 18, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Hilliard (With Notice and Proof):

S. 19. To authorize, pursuant to Section 25(20) and (21) of Act No. 80-529 (Acts of Alabama 1980, pp. 806, et seq; Section 28-3A-25(20) and (21), Code of Alabama 1975, pocket part), the sale, service and consumption of alcoholic beverages on Sunday after 2:00 o'clock a.m. at licensed places and establishments in Class I cities; to authorize Class I cities to restrict and regulate such sales, service, and consumption by ordinance which provide fines for the violation thereof adopted by the governing body thereof; supersede all provisions of laws, regulations, or ordinances in conflict with this act; to repeal all provisions of local laws and general laws of local application inconsistent with the act; to make the provisions of the act severable; and, to provide for the effective date of the act.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S.B. 19, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Hilliard (With Notice and Proof):

S. 20. Relating to Jefferson County; pursuant to the exceptions provided for in Section 28-3A-25(a)(20) and (21), Code of Alabama 1975, pocket part (Section 25.A(20) and (21) of Act No. 80-529, Acts of Alabama 1980, pp. 806, et seq.), the Sunday sales and consumption of alcoholic beverages are authorized after 12:01 o'clock P.M. at certain public places; and to repeal all laws or parts of laws which conflict with this act as relate to Jefferson County.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S.B. 20, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Foshee:

S. 21. To amend § 16-25-14(i), Code of Alabama 1975 relating to the Teachers' Retirement System of Alabama and § 16-27-16(e), Code of Alabama 1975, relating to the Employees' Retirement System of Alabama, so as

to change from five years to two years the time required for certain members who have been restored to active service, to continue in service before again becoming a member of either System.

Committee on Education.

By Senator Cooley:

S. 22. To amend Section 26-7A-1 of the Code of Alabama 1975, as amended, which provides for curators being appointed in the probate court so as to clarify that curators may be appointed in any probate court in the State of Alabama and to ratify previous curator appointments by any probate judge which otherwise would qualify under Chapter 7A of Title 26 of the Code of Alabama and in existence on the date of this Act.

Committee on Judiciary.

By Senator Smith (J):

S. 23. To allow the Secretary of State, at his or her discretion, to appoint an executive or confidential assistant in the unclassified service to serve at his or her pleasure, and who shall perform such duties as may be assigned; to have the Secretary of State set the salary of this assistant in an amount no greater than the position of Executive Assistant III, said salary and expenses to be paid from funds appropriated for use by the office of Secretary of State.

Committee on Finance and Taxation.

By Senator Smith (J):

S. 24. Relating to the promotion of the production, research, distribution, marketing, use, improvement and sale of swine and swine products; to amend Section 2-8-49 of the Code of Alabama 1975, to provide that the assessment levied upon the sale of swine shall not exceed \$.10 on market hogs and \$.05 on feeder pigs; to repeal Section 2-8-53, Code of Alabama 1975, so as to eliminate the exemption from the payment of such assessment at the point of sale.

Committee on Agriculture, Conservation,
and Forestry.

By Senator Cooley:

S. 25. To amend Section 12-15-7 of the Code of Alabama 1975, relating to appointment of juvenile probation officers, so as to provide further for such appointments.

Committee on Judiciary.

By Senator Robertson:

S. 26. To provide for the criminal offense of theft of fish from fish farms and provides for penalties for violation.

Committee on Agriculture, Conservation,
and Forestry.

By Senator Smith (J):

S. 27. Relating to elections; authorizing the use of a greater variety of vote tabulating equipment including electronic vote counting systems; providing for a clearinghouse for information on voting equipment and for the testing and certification of such equipment; creating the Alabama Elec-

tronic Voting Committee, its membership, meetings and authority; prescribing certain duties for the Secretary of State; and providing definitions and procedures for implementation of the provisions of the Act.

Committee on Judiciary.

By Senators Dixon and Cabaniss:

S. 28. To provide for reapportionment of the two houses of the Alabama Legislature based upon the 1980 census.

Committee on Governmental Affairs.

By Senator Hilliard:

S. 29. To amend Section 32-5-171, Code of Alabama, 1975, by inserting the words "Section 32-5A-191" in lieu of "Section 32-5-170" where the same appears in said section.

Committee on Judiciary.

RESOLUTIONS

Senators Kirkland, Bishop, Foshee, and Teague offered the following Senate Joint Resolution, to-wit:

S. J. R. 3. CREATING THE JOINT INTERIM OIL AND GAS STUDY COMMITTEE.

WHEREAS, gas and oil is one of Alabama's fastest growing industries and there are recent discoveries attracting national interests which require the legislature to be properly and timely informed about this field and its effect on all our citizens; and

WHEREAS, there is a great need for a legislative committee to have special knowledge and information on the subject of oil and gas production, exploration and all other facets of the oil and gas industry; and

WHEREAS, there is a dire need in the State of Alabama for all facets of the oil and gas industry and the laws pertaining thereto of the State of Alabama to be studied with attention on the results affecting the people of Alabama and the fiscal opportunities and liabilities for the state, and the legislature needs to have recommendations for guidance on these complex issues; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created the Oil and Gas Joint Interim Study Committee to study the oil and gas industry, the laws pertaining thereto, production and exploration of oil and gas in this state, its regulation, the fiscal opportunities and liabilities for the state, these industries' effect upon our citizens, and all pertinent facets thereof.

BE IT FURTHER RESOLVED, That the said joint committee shall be composed of a total of eight (8) members of which four (4) members shall be appointed each by the Lieutenant Governor and the Speaker of the House; the chairman and vice chairman shall be selected by the members from among its membership and the meetings shall be at the call of the chairman or at the written request of any four members. The members shall serve until the expiration of the term of their current office. Any vacancy shall be filled in the same manner as the original appointment for the remainder of the term.

RESOLVED FURTHER, That upon the request of the chairman, the

Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as the committee's work may require. Each member shall be entitled to his regular legislative compensation, his per diem and travel expenses within or without the state for each day he is on business of the committee or attends its meetings when the legislature is not in session or is in recess without pay. Such sums shall be paid out of sums appropriated to the use of the legislature on approval by the chairman and in accordance with law; provided, however, the total of such sums shall not exceed \$10,000.00.

BE IT FURTHER RESOLVED, That the committee shall be empowered to call witnesses to testify under oath and the members of the state Gas and Oil Board, other state agencies, and the employees thereof shall furnish, upon request of the committee, any and all information, data and documents which the committee may need or request to implement its duties, the chairman of said committee shall have the power to issue witness subpoenas and subpoenas duces tecum.

BE IT FURTHER RESOLVED, That the committee shall make its report, findings and recommendations to the legislature no later than the tenth legislative day of each Regular Session. It shall stand discharged upon making its final report in the regular session of the members' last year of their term of office.

Which was read and referred to the Standing Committee on Rules.

Senator Little offered the following Senate Resolutions, to-wit:

S. R. 4. COMMENDING MR. WALTER J. BARTLETT, RECIPIENT OF RANDOLPH COUNTY'S 1982 LEADERSHIP AWARD.

Also:

S. R. 5. MOURNING THE DEATH OF MR. J. PRESTON SMITH OF HUGULEY, ALABAMA.

Also:

S. R. 6. COMMENDING MR. R. C. HESTER OF RANDOLPH COUNTY, ALABAMA.

Which were adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Richardson:

H. J. R. 11. REQUESTING THAT THE UNITED STATES DEPARTMENT OF AGRICULTURE AND THE UNITED STATES MARITIME ADMINISTRATION PARTICIPATE IN A STUDY TO BE MADE BY THE AMERICAN ASSOCIATION OF PORT AUTHORITIES.

WHEREAS, vast amounts of agricultural commodities, chemicals and petroleum products are moved on our Nation's waterways for export and, in fact, more than one-third of the Nation's waterborne export tonnage are agricultural commodities; and

WHEREAS, the waterways in Alabama presently in use and those contemplated for the future are uniquely situated within the geographic bound-

aries in Alabama so that they serve as an indispensable conduit, both export and import, for the farmer to move his agricultural commodities and raw materials necessary to produce those commodities; and

WHEREAS, the Federal Administration and the United States Congress are considering increasing waterway users' fees with the end result of these increased fees being to decrease the amount which the farmer receives for his commodities; and

WHEREAS, the American Association of Port Authorities has tentatively agreed to make a study on the cumulative impact on waterway user increased charges on the United States World Grain Trade at no cost to the Federal government; and

WHEREAS, the United States Department of Agriculture and the United States Maritime Administration have in their possession much statistical data and personnel that would be of great aid and assistance in producing the above study that could be furnished to the American Association of Port Authorities at little or no cost to the above Federal agencies.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the United States Department of Agriculture and the United States Maritime Administration be requested to fully cooperate with the American Association of Port Authorities in its study on the cumulative impact on waterway user increased charges on the United States World Grain Trade to include, but not limited to, providing statistical data and staff liaison with the Association.

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to the President of the United States, the United States Department of Agriculture and the United States Maritime Administration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H.J.R. 11, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Board of Trustees for the Alabama Institute for the Deaf and Blind.

Respectfully submitted,

ELVIN STANTON,
Executive Secretary.

Done this 1st day of February, 1983.

To the Senate of Alabama
State Capitol
Montgomery, Alabama
Lady and Gentlemen:

I have appointed, subject to your confirmation, the following:

Mrs. Rachel R. Arrington, 1245 Mims Street, S.W., Birmingham, Alabama 35211 (replacing Mrs. Odessa Woolfolk, who has resigned) as a member of the Board of Trustees for the Alabama Institute for the Deaf and Blind.

Respectfully submitted,
GEORGE C. WALLACE,
Governor.

Done this 1st day of February, 1983.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Board of Trustees for the Alabama Institute for the Deaf and Blind, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Holley:

H. J. R. 4. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE THEREOF CONCURRING, That when the two Houses adjourn today, Tuesday, February 1, 1983, they adjourn to meet again on Wednesday, February 2, 1983.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H.J.R. 4, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Bennett:

H. J. R. 7. ENDORSING THE PROCLAMATION OF FEBRUARY 1983 AS MEDICAL EYE MONTH.

WHEREAS, sight is one of mankind's most important senses; and

WHEREAS, every Alabamian should have medical eye care available for the preservation of sight; and

WHEREAS, every Alabamian should be aware that quality medical eye care is available throughout the State of Alabama; and

WHEREAS, the Alabama Academy of Ophthalmology, our State's soci-

ety of Eye Physicians, is working to inform Alabamians of the need for proper medical eye examinations; and

WHEREAS, the Alabama Chapter of the American Association of Workers for the Blind and the Alabama Academy of Ophthalmology are jointly sponsoring the first Eye Injury Registry in the nation to promote the prevention and adequate treatment of eye injuries; and

WHEREAS, many Alabamians are experiencing significant economic and unemployment problems which may prevent their obtaining proper medical eye examinations; and

WHEREAS, participating ophthalmologists throughout Alabama will provide free vision/glaucoma screening in their offices from 2:00 p.m. until 4:00 p.m. on Wednesday, February 9; Wednesday, February 16; and Wednesday February 23; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby endorse the proclamation of February 1983, as Medical Eye Month in the State of Alabama, and do commend the Alabama Chapter of the American Association of Workers for the Blind and the Alabama Academy of Ophthalmology for their establishment of the nation's first statewide Eye Injury Registry.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H.J.R. 7, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Rains:

H. J. R. 12. REQUESTING THE SERVICE DIVISION OF THE STATE FINANCE DEPARTMENT TO PROVIDE THAT STATE TELEPHONE OPERATORS MAINTAIN A NORMAL WEEKDAY SCHEDULE OF ALL DAYS THAT THE LEGISLATURE IS IN SESSION.

WHEREAS, State telephone operators are on duty from 7:00 a.m. until 11:30 p.m. on weekdays, and from 9:00 a.m. until 5:00 p.m. on weekends and holidays; during these hours the State's WATS line can be made available by an operator to members of the Legislature anywhere in the State; and

WHEREAS, when the Legislature is in session on holidays or on weekends the State's WATS line is unavailable for business use by members of the Legislature during early morning and late evening hours, except from phones located in the Capitol itself or in other state buildings; and

WHEREAS, the pressing affairs of government are such that it is oftentimes necessary for legislators to place business calls outside the nine-till-five holiday hours, thus it is necessary that normal service be available when the House and Senate are in session; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby request the Service

Division of the State Finance Department to provide that State telephone operators maintain a normal weekday schedule on all days that the Legislature is in session.

BE IT FURTHER RESOLVED, That the Clerk of the House is directed to advise State Finance Director Henry Steagall, by copy of this resolution, of this request of the Legislature.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H.J.R. 12, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

ADJOURNMENT

At 7:50 P.M., on motion of Senator Teague, in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Thursday, February 3, 1983, at 11 o'clock A.M.

SECOND LEGISLATIVE DAY
THURSDAY, FEBRUARY 3, 1983

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

PRAYER

The Session was opened with prayer by the Reverend Wayne B. Jones, Pastor, Highland Avenue Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Cabaniss	Foshee	Mitchell
Aldridge	Cooley	Goodwin	Mitchem
Amari	Corbett	Harrison	Parsons
Bailey	Covington	Hilliard	Proctor
Barron	deGraffenried	Holmes	Robertson
Bedford	Denton	Keener	Smith (B)
Bedsole	Dixon	Little	Smith (J)
Bishop	Figures	Menton	Teague
Boyington			

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JOURNAL

On motion of Senator Keener, the reading of the Journal of yesterday was dispensed with.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the First Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,
Chairperson.

COMMITTEE REPORT

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the First Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Senator Keener, leave of absence was granted Senators Bachus, Kirkland, and Pearson for today.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 2. Relative to appointing a committee to notify the Governor

that the legislature is in session.

Also:

H. J. R. 3. Relative to appointing a Committee to escort the Governor to the House for a joint session for the purpose of receiving his message.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MOTION TO ADJOURN

Senator Keener moved that when the Senate adjourns today, it adjourn to meet again on Tuesday, February 8, 1983, at 2 o'clock P. M., which motion was adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Coleman:

H. J. R. 19. COMMENDING THE DOUGLAS HIGH SCHOOL EAGLES ON THEIR OUTSTANDING 1982 FOOTBALL SEASON.

Also:

By Reps. Penry and McMillan:

H. J. R. 20. COMMENDING MRS. VIOLA FOLEY OF THE ELSANOR COMMUNITY.

Also:

By Reps. Penry and McMillan:

H. J. R. 21. COMMENDING MR. ROY STAPLETON OF BAY MINETTE AS ALABAMA'S VETERAN OF THE YEAR.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator deGraffenried, the Rules were suspended and the Resolutions, H.J.R.'s 19, 20, and 21, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Holley:

H. J. R. 15. COMMENDING THE ENTERPRISE HIGH SCHOOL BAND.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator deGraffenried, the Rules were suspended and the Resolution, H.J.R. 15, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

NOTICE IN WRITING

Senator Bishop offered the following Notice in Writing, to-wit:

Notice is hereby given, in accordance with the Senate Rules, that on the next Legislative Day a Motion will be made to amend Rule 55, as follows:

Rule 55. A bill or resolution carrying an appropriation may be referred to a committee other than the Committee on Finance and Taxation if the subject matter requires such referral in the judgment of the presiding officer. However, such bill or resolution may also be referred to (on a motion proposed by a member and approved by majority vote) and reported by the Committee on Finance and Taxation after being given a second reading.

Which was read and ordered spread upon the Journal.

INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator Keener:

S. 30. To amend Sections 41-22-25 and 41-22-27 of the Code of Alabama 1975, to clarify the effective date and publication date of the Administrative Procedure Act.

Committee on Judiciary.

By Senators Keener, Parsons, and Corbett:

S. 31. To amend further sections 25-4-16 and 25-4-72, Code of Alabama 1975, as last amended, relating to unemployment compensation, so as to increase the taxable wage base from \$6,600 to \$9,000 and to increase the individual weekly benefit amount in certain instances from \$90 to \$120.

Committee on Business and Labor Relations.

By Senator Smith (J):

S. 32. To provide for the supplemental appropriation and allocation to the Board of Heating and Air Conditioning Contractors for the 1982-1983 state fiscal year ending September 30, 1983, of an amount up to \$81,293.00, from the Board of Certification of Heating and Air Conditioning Contractors Fund in the State treasury for the purpose of salaries and other expenses; to provide for retroactive effect; and to provide that monies remaining in said fund on September 30, 1983, shall be carried over into the following state fiscal year, rather than reverting to the state general fund.

Committee on Finance and Taxation.

By Senator Teague:

S. 33. To create the position of assistant director of the department of aeronautics; to provide for his appointment, duties and salary.

Committee on Governmental Affairs.

REPORTS OF COMMITTEES

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Teague:

S. 3. To provide further for exemptions from the requirement of continuing legal education; to exempt the governor, lieutenant governor, members of the legislature, secretary of the senate, clerk of the house, and employees of legislative reference service, should they be attorneys, from the requirement of mandatory continuing legal education.

By Senator Hilliard:

S. 29. To amend Section 32-5-171, Code of Alabama, 1975, by inserting the words "Section 32-5A-191" in lieu of "Section 32-5-170" where the same appears in said section.

By Senator Parsons:

S. 8. To amend Section 32-8-86, Code of Alabama 1975, relating to the removal or falsification of an identification number, registration or license date of a vehicle or an engine, so as to provide for the forfeiture and condemnation of any item seized pursuant to this section.

By Senator Cooley:

S. 25. To amend Section 12-15-7 of the Code of Alabama 1975, relating to appointment of juvenile probation officers, so as to provide further for such appointments.

By Senator Cooley:

S. 22. To amend Section 26-7A-1 of the Code of Alabama 1975, as amended, which provides for curators being appointed in the probate court so as to clarify that curators may be appointed in any probate court in the State of Alabama and to ratify previous curator appointments by any probate judge which otherwise would qualify under Chapter 7A of Title 26 of the Code of Alabama and in existence on the date of this Act.

By Senator Parsons:

S. 6. To amend the Alcoholic Beverage Licensing Code (§ 28-3A-25) so as to include certain offenses in the proscribed unlawful acts and offenses.

By Senator Smith (J):

S. 27. Relating to elections; authorizing the use of a greater variety of vote tabulating equipment including electronic vote counting systems; providing for a clearinghouse for information on voting equipment and for the testing and certification of such equipment; creating the Alabama Electronic Voting Committee, its membership, meetings and authority; prescribing certain duties for the Secretary of State; and providing definitions and procedures for implementation of the provisions of the Act.

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Smith (J):

S. 23. To allow the Secretary of State, at his or her discretion, to appoint an executive or confidential assistant in the unclassified service to serve at his or her pleasure, and who shall perform such duties as may be assigned; to have the Secretary of State set the salary of this assistant in an amount no greater than the position of Executive Assistant III, said salary and expenses to be paid from funds appropriated for use by the office of Secretary of State.

Senator Mitchell, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit.

By Senators Proctor, Keener, deGraffenried, Mitchell, and Mitchem:

S. 1. To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census.

By Senator deGraffenried:

S. 13. To adopt and incorporate into the Code of Alabama 1975 all general and permanent classified municipal laws of the State adopted by the legislature during the 1979 and 1980 Sessions and the 1981 Regular Session and all general and permanent laws, including the classified municipal laws, of the State adopted by the legislature during the 1981 First, Second and Third Special Sessions, the 1982 Regular Session and the 1982 First Special Session, as contained in the 1982 Cumulative Supplement to the Code of Alabama 1975, and to make certain corrections in such cumulative supplement; to adopt and incorporate into the Code of Alabama 1975 the Intestate Succession and Wills Act (Act No. 82-399, S. 49, 1982 Regular Session, referred to as the Probate Code) as contained in Chapter 8 of Title 43 of the 1982 Replacement Volume 22 of the Code; and to adopt and incorporate into the Code of Alabama 1975 all general and permanent laws of the State adopted by the legislature during the 1982 Second Special Session as contained in the 1982 Interim Supplement to the Code of Alabama 1975.

Senator Bailey, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Kirkland, Foshee, Parsons, Covington, Robertson, Teague, Bedford, Aldridge, Denton, Little, and Barron:

S. 4. To amend Section 9-11-235.1 of the Code of Alabama 1975, so as to provide further for taking or hunting raccoons or opossums at night.

By Senator Smith (J):

S. 24. Relating to the promotion of the production, research, distribution, marketing, use, improvement and sale of swine and swine products; to amend Section 2-8-49 of the Code of Alabama 1975, to provide that the assessment levied upon the sale of swine shall not exceed \$.10 on market

hogs and \$.05 on feeder pigs; to repeal Section 2-8-53, Code of Alabama 1975, so as to eliminate the exemption from the payment of such assessment at the point of sale.

Senator Bailey, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Robertson (With Amendment):

S. 26. To provide for the criminal offense of theft of fish from fish farms and provides for penalties for violation.

Senator Parsons, Chairperson of the Standing Committee on Education, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Foshee:

S. 21. To amend § 16-25-14(i), Code of Alabama 1975 relating to the Teachers' Retirement System of Alabama and § 16-27-16(e), Code of Alabama 1975, relating to the Employees' Retirement System of Alabama, so as to change from five years to two years the time required for certain members who have been restored to active service, to continue in service before again becoming a member of either System.

By Senator Parsons:

S. 17. To amend Section 16-22-6, Code of Alabama, 1975, so as to provide further for payroll deductions for educational employees and for Public Employees' Individual Retirement Account Fund (PEIRAF) created by Act 82-776.

Senator Smith (J), Chairperson of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Smith (J):

S. 12. To repeal Section 19 of Act No. 82-561, S. 102, Regular Session 1982 (Acts 1982, p. 922), relating to the Alabama Life and Disability Insurance Guaranty Association Act, which section prohibits the use of advertising of the Life and Disability Insurance Guaranty Association for purposes of sales, solicitation, or inducement to purchase any form of insurance covered by said act.

Senator Smith (B), Chairperson of the Standing Committee on Industrial Expansion, Economic Growth, and Jobs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Hilliard:

S. 14. To amend the Title and Section 1 of Act No. 79-722 adopted at the 1979 Regular Session of the Legislature of Alabama approved August 8, 1979, as amended by Act No. 80-315 adopted at the 1980 Regular Session of the Legislature of Alabama approved May 6, 1980, and by Act No. 82-440

enacted at the 1982 Regular Session of the Legislature of Alabama and codified in Article 5 of Title 11, Code of Alabama 1975: authorizing Class 4, 5, 6, 7, 8 municipalities in this state to acquire properties suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such properties subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof, so as to make said Act as amended applicable to Class 1, 2 or 3 municipalities in the state and to industrial development boards created under Division 1 of Article 4 of Chapter 54, Title 11, Code of Alabama 1975, as amended, to include projects providing hotel, motor inn, and similar daily or monthly lodging services, amending title to encompass amendment made in said Act No. 82-440 and ratifying and confirming said Acts 80-315 and 82-440, permitting municipalities, under certain conditions, to lease or sell municipal properties for such projects, as heretofore provided, and to except contracts incident to such projects from competitive bidding.

By Senator Hilliard:

S. 15. To amend Section 11-47-15 of the Code of Alabama 1975 to extend to twenty-five miles, the distance within which any city or town may construct and maintain wharves and wharf sites and collect wharfage dues and other charges thereon and otherwise operate such facilities as authorized by said Section.

By Senator Hilliard:

S. 16. To amend Section 11-54-80, as heretofore amended, to include as permissible projects hotels, motor inns and similar short-term lodging facilities.

Senator Parsons, Vice-Chairperson of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Parsons (With Notice and Proof):

S. 7. Relating to the Tenth Judicial Circuit of Alabama, including the

Bessemer Division thereof: to provide that if a defendant in a criminal case enters a written plea of not guilty prior to his arraignment such plea shall constitute waiver of his right to have an arraignment at which he is present in person or represented by an attorney.

By Senator Parsons (With Notice and Proof):

S. 9. Relating to Jefferson County, City of Birmingham and the State of Alabama; providing further for an additional expense allowance of the two (2) Associate Board Members of the Jefferson County Board of Equalization and Adjustments, payable from the general funds of Jefferson County, from the general funds of the City of Birmingham and from the general funds of the State of Alabama; providing for an expiration date.

By Senator Parsons (With Notice and Proof):

S. 10. Relating to Jefferson County; providing further for an additional expense allowance of the Assistant Tax Assessor and Assistant Tax Collector, payable from the general fund of the county: providing for an expiration date.

By Senator Hilliard (With Notice and Proof):

S. 18. To authorize Class I cities to establish Enterprise Zones in areas of pervasive poverty, unemployment and economic distress and to carry out programs to encourage private investment and to create jobs in such areas, and to authorize agencies of such cities, the county governing body and state and county agencies to carry out similar programs in such Enterprise Zones, including, but not limited to, reduction of tax rates, license rates and fees, improvement of public services and reduction and modification of regulatory requirements within such zones, and to provide other services and to modify other requirements as may be necessary or desirable to qualify for financial assistance to such Class I cities or private entities within such zones under any act of the Congress of the United States heretofore or hereafter enacted.

By Senator Hilliard (With Notice and Proof):

S. 19. To authorize, pursuant to Section 25(20) and (21) of Act No. 80-529 (Acts of Alabama 1980, pp. 806, et seq; Section 28-3A-25(20) and (21), Code of Alabama 1975, pocket part), the sale, service and consumption of alcoholic beverages on Sunday after 2:00 o'clock a. m. at licensed places and establishments in Class I cities; to authorize Class I cities to restrict and regulate such sales, service, and consumption by ordinance which provide fines for the violation thereof adopted by the governing body thereof; supersede all provisions of laws, regulations, or ordinances in conflict with this act; to repeal all provisions of local laws and general laws of local application inconsistent with the act; to make the provisions of the act severable; and, to provide for the effective date of the act.

By Senator Hilliard (With Notice and Proof):

S. 20. Relating to Jefferson County; pursuant to the exceptions provided for in Section 28-3A-25(a)(20) and (21). Code of Alabama 1975, pocket part (Section 25.A(20) and (21) of Act No. 80-529, Acts of Alabama 1980, pp. 806, et seq.), the Sunday sales and consumption of alcoholic beverages are authorized after 12:01 o'clock P.M. at certain public places; and to repeal all laws or parts of laws which conflict with this act as relate to Jefferson County.

RESOLUTION

Senator deGraffenried offered the following Senate Resolution, to-wit:

S. R. 7. COMMENDING ALLSTATE INSURANCE COMPANY.

Which was adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 9. Relative to legislative meeting dates from Tuesday, February 1, 1983, to meet again on Thursday, February 3, 1983.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

RESOLUTION

Senator Hilliard offered the following Senate Resolution, to-wit:

S. R. 8. COMMENDING MRS. LOIS CONLEY SMITH, PROMINENT MONTGOMERY EDUCATOR.

Which was adopted.

REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 3. CREATING THE JOINT INTERIM OIL AND GAS STUDY COMMITTEE.

Senator Little offered the following amendment to the Resolution, S. J. R. 3, to-wit:

AMENDMENT TO S. J. R. 3

Amend Senate Joint Resolution 3, Page 2 Line 25, by striking out the period “.” after the figure \$10,000.00 and add as follows: “in total throughout the entirety of the life of this interim committee as established by this resolution.”

Which was adopted.

And on motion of Senator Foshee, said Resolution, S. J. R. 3, as thus amended, was then adopted by the Senate.

SECOND EXTRAORDINARY SESSION
2nd Day

29

ADJOURNMENT

At 11:30 A. M., on motion of Senator Teague, in accordance with motion heretofore adopted, the Senate adjourned until Tuesday, February 8, 1983, at 2 o'clock P. M.

JOURNAL OF THE SENATE, 1983
3rd Day

**THIRD LEGISLATIVE DAY
TUESDAY, FEBRUARY 8, 1983**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

PRAYER

The Session was opened with prayer by the Reverend Garner Clark, Pastor, McGehee Road Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Boyington	Goodwin	Mitchell
Aldridge	Cabaniss	Harrison	Mitchem
Amari	Corbett	Hilliard	Parsons
Bachus	Covington	Holmes	Proctor
Bailey	deGraffenried	Keener	Robertson
Barron	Denton	Kirkland	Smith (B)
Bedford	Dixon	Little	Smith (J)
Bedsole	Figures	Menton	Teague
Bishop	Foshee		

—33

JOURNAL

On motion of Senator Teague, the reading of the Journal of yesterday was dispensed with.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Second Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,
Chairperson.

COMMITTEE REPORT

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Second Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Senator Teague, leave of absence was granted Senators Cooley and Pearson for today.

INTRODUCTION OF BILLS

Upon the call of districts, a bill was introduced, read one time and referred to appropriate standing committee, as follows:

By Senator Parsons:

S. 34. To provide additional revenue from which to pay interest on

funds advanced the Alabama Unemployment Compensation Trust Fund for the payment of benefits in the event the Trust Fund becomes insolvent; to establish a special fund in the state treasury to receive such revenue; to provide for the accumulation of interest on monies deposited into the special fund; to authorize expenditures from the special fund; and to provide for its dissolution when appropriate.

Committee on Business and Labor Relations.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 9. RESOLVED BY THE SENATE That the following bill in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the third legislative day of the 1983 Second Special Session only:

BILL NO.	PAGE NO.	DESCRIPTION
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SB 1	6	To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census.
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On motion of Senator Bishop, the Resolution was adopted by the Senate.

BILLS ON THIRD READING

The Bill:

S. 7. Relating to the Tenth Judicial Circuit of Alabama, including the Bessemer Division thereof; to provide that if a defendant in a criminal case enters a written plea of not guilty prior to his arraignment such plea shall constitute waiver of his right to have an arraignment at which he is present in person or represented by an attorney.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Goodwin	Mitchell
Amari	Corbett	Hilliard	Parsons
Bachus	Covington	Holmes	Proctor
Bailey	Denton	Keener	Smith (B)
Barron	Dixon	Little	Smith (J)
Bedford	Figures	Menton	Teague
Bedsole	Foshee		

—25

Nays:

—0

The Bill:

S. 9. Relating to Jefferson County, City of Birmingham and the State of Alabama; providing further for an additional expense allowance of the two (2) Associate Board Members of the Jefferson County Board of Equalization and Adjustments, payable from the general funds of Jefferson County, from the general funds of the City of Birmingham and from the general funds of the State of Alabama; providing for an expiration date.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Goodwin	Mitchell	
Amari	Cabaniss	Hilliard	Parsons	
Bachus	Corbett	Holmes	Proctor	
Bailey	Denton	Keener	Smith (B)	
Barron	Dixon	Little	Smith (J)	
Bedford	Figures	Menton	Teague	
Bedsole	Foshee			—25

Nays: —0

The Bill:

S. 10. Relating to Jefferson County; providing further for an additional expense allowance of the Assistant Tax Assessor and Assistant Tax Collector, payable from the general fund of the county; providing for an expiration date.

was taken up.

Senator Parsons offered the following amendment to the Bill, S.B. 10, to-wit:

AMENDMENT TO S. B. 10

At the conclusion of Section 1 insert the following language to become a part of Section 1:

Said expense allowance shall go into effect at such time that the Jefferson County merit system employees receive a general pay raise.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Goodwin	Mitchell	
Amari	Cabaniss	Hilliard	Parsons	
Bachus	Corbett	Holmes	Proctor	
Bailey	Denton	Keener	Smith (B)	
Barron	Dixon	Little	Smith (J)	
Bedford	Figures	Menton	Teague	
Bedsole	Foshee			—25

Nays: —0

And said Bill, S.B. 10, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bedford	Denton	Hilliard
Amari	Bedsole	Dixon	Holmes
Bachus	Bishop	Figures	Keener
Bailey	Cabaniss	Foshee	Little
Barron	Corbett	Goodwin	Menton

SECOND EXTRAORDINARY SESSION
3rd Day

33

Mitchell	Proctor	Smith (J)	Teague	
Parsons	Smith (B)			—25
Nays:				—0

The Bill:

S. 18. To authorize Class I cities to establish Enterprise Zones in areas of pervasive poverty, unemployment and economic distress and to carry out programs to encourage private investment and to create jobs in such areas, and to authorize agencies of such cities, the county governing body and state and county agencies to carry out similar programs in such Enterprise Zones, including, but not limited to, reduction of tax rates, license rates and fees, improvement of public services and reduction and modification of regulatory requirements within such zones, and to provide other services and to modify other requirements as may be necessary or desirable to qualify for financial assistance to such Class I cities or private entities within such zones under any act of the Congress of the United States heretofore or hereafter enacted.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Goodwin	Mitchell	
Amari	Cabaniss	Hilliard	Parsons	
Bachus	Corbett	Holmes	Proctor	
Bailey	Denton	Keener	Smith (B)	
Barron	Dixon	Little	Smith (J)	
Bedford	Figures	Menton	Teague	
Bedsole	Foshee			—25

Nays: —0

The Bill:

S. 19. To authorize, pursuant to Section 25(20) and (21) of Act No. 80-529 (Acts of Alabama 1980, pp. 806, et seq; Section 28-3A-25(20) and (21), Code of Alabama 1975, pocket part), the sale, service and consumption of alcoholic beverages on Sunday after 2:00 o'clock a. m. at licensed places and establishments in Class I cities; to authorize Class I cities to restrict and regulate such sales, service, and consumption by ordinance which provide fines for the violation thereof adopted by the governing body thereof; supersede all provisions of laws, regulations, or ordinances in conflict with this act; to repeal all provisions of local laws and general laws of local application inconsistent with the act; to make the provisions of the act severable; and, to provide for the effective date of the act.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 2.

Abstaining 1.

Yeas:

Senators:	Bailey	Bedsole	Denton
Aldridge	Barron	Cabaniss	Dixon
Bachus	Bedford	Corbett	Figures

Foshee	Holmes	Mitchell	Smith (B)	
Goodwin	Keener	Mitchem	Smith (J)	
Harrison	Little	Proctor	Teague	
Hilliard	Menton			—25
<i>Nays:</i> Senators: Amari and Parsons				—2
<i>Abstaining:</i> Senator: Bishop				—1

The Bill:

S. 20. Relating to Jefferson County; pursuant to the exceptions provided for in Section 28-3A-25(a)(20) and (21), Code of Alabama 1975, pocket part (Section 25.A(20) and (21) of Act No. 80-529, Acts of Alabama 1980, pp. 806, et seq.), the Sunday sales and consumption of alcoholic beverages are authorized after 12:01 o'clock P.M. at certain public places; and to repeal all laws or parts of laws which conflict with this act as relate to Jefferson County.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 2.

Abstaining 1.

Yeas:

Senators:	Cabaniss	Harrison	Mitchell	
Aldridge	Corbett	Hilliard	Mitchem	
Bachus	Denton	Holmes	Proctor	
Bailey	Dixon	Keener	Smith (B)	
Barron	Figures	Little	Smith (J)	
Bedford	Foshee	Menton	Teague	
Bedsole	Goodwin			—25

Nays: Senators: Amari and Parsons —2

Abstaining: Senator: Bishop —1

REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 7. ENDORSING THE PROCLAMATION OF FEBRUARY 1983 AS MEDICAL EYE MONTH.

On motion of Senator Little, the Resolution was then concurred in and adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 11. REQUESTING THAT THE UNITED STATES DEPARTMENT OF AGRICULTURE AND THE UNITED STATES MARITIME ADMINISTRATION PARTICIPATE IN A STUDY TO BE MADE BY THE AMERICAN ASSOCIATION OF PORT AUTHORITIES.

On motion of Senator Bishop, the Resolution was then concurred in

and adopted by the Senate.

MOTION IN WRITING

Senator Bishop offered the following Motion in Writing, to-wit:

I move that Senate Rule 55 be amended as follows:

RULE 55. A bill or resolution carrying an appropriation may be referred to a committee other than the Committee on Finance and Taxation if the subject matter requires such referral in the judgment of the presiding officer. However, such bill or resolution may also be referred to (on a motion proposed by a member and approved by majority vote) and reported by the Committee on Finance and Taxation after being given a second reading.

On motion of Senator Bishop, the Rules were suspended and the Motion in Writing was adopted by the Senate.

SPECIAL ORDER

BILLS ON THIRD READING

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, which was the Bill:

S. 1. To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census.

Senator Smith (J) offered the following substitute for the Bill, S.B. 1, to-wit:

SUBSTITUTE FOR S. B. 1

**A BILL
TO BE ENTITLED
AN ACT**

To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census, and to expressly repeal Act No. 81-1049, 1981 Second Special Session and Act No. 82-629, 1982 First Special Session.

Be It Enacted by the Legislature of Alabama:

Section 1. The House of Representatives of the Alabama Legislature shall consist of 105 members and each member shall reside in the district he represents. The state is hereby divided into 105 house districts as follows:

HOUSE DISTRICT 1 SHALL CONSIST OF:

In Lauderdale County:

In Tract 0101:

Block Group 1

Block Group 2

Block Group 3

Block Group 4

Block Group 5

All of Tract 0107

Tract 0108

Tract 0115

Tract 0116

Tract 0117

Tract 0118

HOUSE DISTRICT 2 SHALL CONSIST OF:

In Lauderdale County:

In Tract 0101:

Block Group 6

Block Group 7

All of Tract 0102

Tract 0103

Tract 0104

Tract 0105

Tract 0106

Tract 0109

Tract 0110

Tract 0111

In Tract 0112:

Block 103

Block Group 2

Blocks 401, 402 and 403

All of Tract 0113

Tract 0114

HOUSE DISTRICT 3 SHALL CONSIST OF:

In Colbert County:

Tract 0201

Tract 0202

Tract 0203

Tract 0204

Tract 0205

Tract 0206

Tract 0209

Tract 0210

Tract 0207, Block 101 only

In Lauderdale County:

Tract 0112

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Block 101

Block 102

Block 149

Block 150

Block Group 3 (all)

Block 405

Block 406

Block Group 5

Block Group 6

Block Group 7

Block Group 9

Enumeration District 444T

Enumeration District 444U

Enumeration District 445

HOUSE DISTRICT 4 SHALL CONSIST OF:

In Colbert County:

Leighton Division (All)

Tract 207 except Block 101 (land only)

In Franklin County:

Russellville Division (All)

In Phil-Campbell Division (Remainder)

Enumeration District 0070U

Enumeration District 0071

HOUSE DISTRICT 5 SHALL CONSIST OF:

In Franklin County:

Red Bay Division (All)

Vina Division (All)

Phil-Campbell Division

Enumeration District 0068

Enumeration District 0069

Enumeration District 0070T

In Marion County:

All except Guin Division

HOUSE DISTRICT 6 SHALL CONSIST OF:

Lamar County (All)

Fayette County

In Marion County:

Guin Division

HOUSE DISTRICT 7 SHALL CONSIST OF:

Lawrence County

In Morgan County:

Danville Division

Decatur Division

Tract 0051:

Block Group 4

Tract 0051:

Block Group 5

Tract 0051:

Block Group 3

Tract 0051:

Block Group 6, except for Blocks 601 through 609p and except
for Blocks 623 and 627

Enumeration District 270

HOUSE DISTRICT 8 SHALL CONSIST OF:

In Morgan County:

Decatur Division:

Tract 0001, except for Block Groups 5 and 6

Tract 0004

Tract 0005

Tract 0006

Tract 0007

Tract 0008

Tract 0009

Tract 0010

Tract 0051:

Block Group 1

Block Group 2

Blocks 601 through 609p and Blocks 623 and 627

Block Group 7

Block Group 8

Block Group 9

HOUSE DISTRICT 9 SHALL CONSIST OF:

In Morgan County:

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Tract 0001

Block Group 5

Block Group 6

Tract 0002

Tract 0003

Tract 0053

Tract 0054.02

Lacey Springs Division

Tract 0054.01

HOUSE DISTRICT 10 SHALL CONSIST OF:

In Morgan County:

Eva Division

Falkville Division

In Cullman County:

Vinemont Division

Simcoe Division

Baileyton-Joppa Division

Holly Pond Division

Walti Division

Hanceville Division, Except Enumeration District 140 and Enumeration District 137

Jones Chapel Division, Enumeration District 114

HOUSE DISTRICT 11 SHALL CONSIST OF:

In Cullman County:

Cullman Division

Breman Division

Jones Chapel Division, Except Enumeration District 114

Crane Hill Division

Logan Division

Hanceville Division, Enumeration District 140 and Enumeration District 137

In Winston County:

Addison Division (p):

Enumeration District 604T

Enumeration District 605A

Enumeration District 605U

In Double Springs Division:

Enumeration District 606
Enumeration District 607
Enumeration District 608
Enumeration District 610B
Enumeration District 610A

HOUSE DISTRICT 12 SHALL CONSIST OF:**In Winston County:****In Addison Division (p):**

Enumeration District 600
Enumeration District 601
Enumeration District 605B
Enumeration District 602
Enumeration District 603
Enumeration District 604U

In Double Springs Division:

Enumeration District 609T
Enumeration District 609U

Haleyville Division (all)**Lynn Division (all)****In Walker County:**

Carbon Hill Division
Nauvoo Division
Manchester Division
Townley Division

In Oakman Division (p):

Enumeration District 912

In Remainder of Jasper Division:

Enumeration District 882
Enumeration District 883
Enumeration District 879A
Enumeration District 880
Enumeration District 881
Enumeration District 886
Enumeration District 887

In Remainder of Jasper Division:

Enumeration District 884

Enumeration District 885A

HOUSE DISTRICT 13 SHALL CONSIST OF:

All of Walker County except that part included in House District 42
and House District 12

HOUSE DISTRICT 14 SHALL CONSIST OF:

In Jefferson County:

Tract 0115

Tract 0121.04

Tract 0114

Tract 0113, less Block Group 4, in Block Group 1, Blocks 152 and
153, and in Block Group 3, Blocks 305-11, 340-344, 346-349 and
less Block 350 in the Remainder of the Kimberly-Morris Division

Tract 0122, less Enumeration Districts 112 and 113

Tract 0124.03, less Block Groups 6 and 9

Tract 0123.02, Enumeration District 115

Tract 0121.03, less Block Groups 5, 7 and 9 and in Block Group 2,
Block 222

In Blount County:

Tract 0505—Bountsville Division, except

Enumeration District 782 and

Enumeration District 780

Tract 0506—Hayden Division

Tract 0507—Locust Fork Division

Enumeration District 807

Enumeration District 811

Block Group 1

Block Group 3

HOUSE DISTRICT 15 SHALL CONSIST OF:

In Jefferson County:

Tract 0059.04

Block Group 1

Tract 0111.03

Tract 0111.04

Tract 0112.03

Tract 0112.04

Tract 0112.05

Tract 0112.06

Tract 0113.00

Block Group 1

Blocks 152, 153

Block Group 3

Blocks 305-311, 340-344, 346-349, and Block 350 in the Remainder of the Kimberly-Morris Division

Block Group 4

In St. Clair County:

Tract 0405:

Enumeration District 859

Enumeration District 860

Enumeration District 865

HOUSE DISTRICT 16 SHALL CONSIST OF:

In Limestone County:

Tract 0201

Tract 0202

Tract 0203

Tract 0204

Tract 0205

Tract 0206

Tract 0207

Tract 0209

Tract 0210

Tract 0211p, Enumeration District 692

HOUSE DISTRICT 17 SHALL CONSIST OF:

In Limestone County:

Tract 0208

Tract 0212

Tract 0211, less Enumeration District 692

In Madison County:

Tract 0104

Tract 0105, in the remainder of Huntsville Division

Tract 0106, less Blocks 101-104, 149-150, 201-209 and 901-904

Tract 0110

Tract 0014

Tract 0022

Tract 0023, Blocks 402 through 426, 107, 108 and 211

Tract 0013, Blocks 201 through 211

HOUSE DISTRICT 18 SHALL CONSIST OF:

In Madison County:

Tract 0111

Tract 0112

In Huntsville Division:

Tract 0023:

Blocks 301-322 and 401

Tract 0024

Tract 0025.01

Tract 0025.02

Tract 0028.01

Tract 0027.01

Tract 0029.01

Tract 0028.02

Tract 0029.02

Tract 0026, Block Group 3

In New Hope Division:

Tract 0113p, Block Group 1

Huntsville City Part

Tract 0113P

HOUSE DISTRICT 19 SHALL CONSIST OF:

In Madison County:

In Huntsville Division:

Tract 0021

Tract 0012

Tract 0015

Tract 0006.01

Tract 0006.02

Tract 0005.03

Tract 0005.02

Tract 0005.01

Tract 0004.01

Tract 0023:

Block Group 1, less Blocks 107 and 108

Block Group 2, less Block 211

Tract 0007.02:

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Blocks 105-122

Tract 0013, except for Blocks 201-211

Tract 0106.00

Blocks 101-104, 149, 150, 201-209 and 901-904

HOUSE DISTRICT 20 SHALL CONSIST OF:

In Madison County:

Tract 0107, except for Madison County Commission Shed No. 1,
located at the intersection of Mooresmill Road and Shed Road,
and containing zero population.

In Huntsville Division:

Tract 0004.02

Tract 0003.02

Tract 0003.01

Tract 0002.02

Tract 0007.01

Tract 0007.02

Blocks 101-104

Tract 0008

Tract 0002.01

Tract 0009.01, less Block Group 2

Tract 0108p:

Block Group 9

Tract 0011

Tract 0001

Blocks 122, 123, 221, 225, 306-321 and 327

Tract 0016

Tract 0105 (city part)

Tract 108, Blocks 905, 906 and 907 (City Part)

HOUSE DISTRICT 21 SHALL CONSIST OF:

In Madison County:

In Huntsville Division:

Tract 0001, less Blocks 122, 123, 221, 225, 306-321 and 327

Tract 0010

Tract 0017

Tract 0018.01

Tract 0018.02

Tract 0019.01

Tract 0019.02

Tract 0019.03

Tract 0020

Tract 0027.02

Tract 0026:

Block Groups 1 and 2

Tract 0009.02

Tract 0009.01

Block Group 2

Tract 0108

Blocks 102, 106-123, 137-147, 152-164, 172-178 and 909

HOUSE DISTRICT 22 SHALL CONSIST OF:

In Madison County:

Tract 0113, less New Hope Division, Huntsville City (pt.) and less
New Hope Division Tract 0113p, Block Group 1

Tract 0114

Tract 0109

Tract 0108, less Blocks 102, 106-123, 137-147, 152-164, 172-178 and
909 and less Block Group 9 in the remainder of the Huntsville
Division

Tract 0102

Tract 0101

Tract 0103, and Madison County Commission Shed No. 1, located
at the intersection of Mooresmill Road and Shed Road, and con-
taining zero population.

In Jackson County:

The Paint Rock Division

The Princeton Division

The Scottsboro Division—BNA 9902, Except Blocks 203 and 218

Enumeration District 197

Enumeration District 196

HOUSE DISTRICT 23 SHALL CONSIST OF:

In DeKalb County:

The Ider Division

Enumeration District 0401

In Jackson County:

BNA 9901 of the Scottsboro Division

Blocks 203 and 218 only of BNA 9902 in the Scottsboro Division

The Stevenson Division
The Bridgeport Division
The Long Island Division
The Pisgah Division
The Section Division

Enumeration District 198 of the Scottsboro Division

Enumeration District 195 of the Scottsboro Division

HOUSE DISTRICT 24 SHALL CONSIST OF:

In DeKalb County:

The Ft. Payne Division
The Valley Head-Mentone Division
The Ider Division less E. D. 0401
The Heneger Division
The Rainesville-Sylvania Division
The Fyffe Division

HOUSE DISTRICT 25 SHALL CONSIST OF:

In Marshall County:

Town Creek Division
Albertville-Boaz Division, except
Enumeration District 817 and
Enumeration District 821

In DeKalb County:

Collinsville Division
Crossville Division
Geraldine Division

HOUSE DISTRICT 26 SHALL CONSIST OF:

In Marshall County:

Grant Division
Union-Grove Division
Arab Division
Guntersville Division
Douglass Division

HOUSE DISTRICT 27 SHALL CONSIST OF:

In Marshall County:

Albertville-Boaz Division (p):
Enumeration District 817

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Enumeration District 821

In Etowah County:

Mountainboro Division, except Enumeration District 514A

Altoona Division

All of Blount County except:

Haden Division

Enumeration Districts 781, 783 and 784 in Blountsville Division

Enumeration Districts 807, 811 and Block Groups 1 and 3 in Locust Fork Division

HOUSE DISTRICT 28 SHALL CONSIST OF:

In Etowah County:

Tract 0006

Tract 0011

Tract 0013

Tract 0014

Tract 0015

Tract 0016

Tract 0017

Tract 0101

Tract 0102

Tract 0104

Tract 0103(p):

Enumeration District 527

Enumeration District 528

Block Group 1

Block Group 2

HOUSE DISTRICT 29 SHALL CONSIST OF:

In Etowah County:

Tract 0001

Tract 0002

Tract 0003

Tract 0004

Tract 0005

Tract 0007

Tract 0008

Tract 0009

Tract 0010

Tract 0012

Tract 0108

Tract 0109

Tract 0103(p):

Block Group 9

Enumeration District 525

Enumeration District 526

Tract 0107(p):

Block Group 1

Block Group 2

Block Group 6

Tract 0110(p):

Mountainboro Division:

Enumeration District 514A

HOUSE DISTRICT 30 SHALL CONSIST OF:

Cherokee County (All)

In Etowah County:

Tract 0105

Tract 0106

Tract 0107p:

Enumeration District 501

Enumeration District 500

HOUSE DISTRICT 31 SHALL CONSIST OF:

In Jefferson County:

Tract 0111.05

Tract 0108.02

Tract 0108.03

Tract 0108.04

Tract 0108.05

Tract 0128.02

Tract 0128.01

Tract 0127.01

HOUSE DISTRICT 32 SHALL CONSIST OF:

In Jefferson County:

Birmingham Division

Tract 002306

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Tract 004702

Tract 0048

Tract 0049, except

Block Groups 1 and 4

Tract 0050

Blocks 201, 202 and 203

Tract 21

Block Groups 1, 2 and 3

Tract 005301

Block Group 5

Tract 005302

Tract 0056 (Birmingham City)

Tract 005903

Blocks 414, 415, 421 and 425

Tract 012601

Tract 0056 (Irondale City)

Tract 012602

Tract 0056 (Mountain Brook City)

Tract 010801 (Mountain Brook City)

Tract 21 (Remainder of Birmingham Division)

Block Group 1

Tract 0049 (Remainder of Birmingham Division)

Tract 005302 (Remainder of Birmingham Division)

Block Group 1

Tract 005903 (Remainder of Birmingham Division)

Blocks 425 and 426

Tract 012602 (Remainder of Birmingham Division)

HOUSE DISTRICT 33 SHALL CONSIST OF:

In Jefferson County:

Tract 0107.01

Tract 0107.02

Tract 0107.03

Tract 0107.04

Tract 0107.05

Tract 0107.06, less Block Group 9, Blocks 921-923, 919

Tract 0144.01

Block Group 1

Tract 0143.02

Block Group 1

Blocks 101-103, 105

Block Group 2

Block 208

Block Group 3

Block Group 9

Blocks 903-905, 910

Tract 0130.02, less Block Group 1, Blocks 105, 109-111 and 151

Tract 0130.01

Tract 0129.01

Block Group 2

Tract 0131

Block Group 1

Tract 0057.01

Block Group 6

Blocks 625-628, 634

Block Group 7

Block Group 8

HOUSE DISTRICT 34 SHALL CONSIST OF:

In Jefferson County:

Tract 0118.01

Tract 0059.06

Tract 0118.02

Tract 0119.01, less Block Groups 1 and 8

Tract 0059.04, less Block Group 1

Tract 0059.05

Tract 0059.03, less Blocks 414, 415, 421, 425 and 426

HOUSE DISTRICT 35 SHALL CONSIST OF:

In Jefferson County:

Tract 0117.05

Tract 0117.03

Tract 0120.02

Block Group 1

Block Group 2

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Block Group 3

Block Group 4

Block Group 6

Block Group 8

Block Group 9

Tract 0119.01, Block Groups 1 and 8

Tract 0109

Tract 0116

Tract 0117.06

Tract 0121.03

Block Group 2

Block 222

Block Group 5

Block Group 7

Block Group 9

Tract 0117.04

HOUSE DISTRICT 36 SHALL CONSIST OF:

In Jefferson County:

Birmingham Division

Tract 0001

Tract 0003

Block Groups 2, 3 and 4

Tract 0005

Block Group 3

Blocks 307, 311 and 319

Block Groups 4, 5 and 6

Tract 0006

Tract 0017

Tract 1801

Tract 1802

Tract 1901

Tract 0020

Tract 0021, except

Block Groups 1, 2 and 3

Tract 0022

Tract 2303

Tract 2304

Tract 2305

Tract 0024

Tract 5301, except

Block Group 5

Tract 11903

Block Group 2

Block Group 3

Blocks 303-310, 313, 314, 316, 324, 325, 343, 344, 346 and 347

Block Group 5

Tract 0022 (Irondale City)

Tract 0020 (Remainder of Birmingham Division)

Tract 0022 (Remainder of Birmingham Division)

HOUSE DISTRICT 37 SHALL CONSIST OF:

In Jefferson County:

Tract 0106.01

Tract 0106.02

Tract 0106.03

Tract 0135

Tract 0139.01

Tract 0134

Tract 0136.01

Tract 0136.02

Tract 0137

Block Group 4

Blocks 405 and 406

Tract 0133

Tract 0105

Tract 0131, less Block Group 1

Tract 0138.02

HOUSE DISTRICT 38 SHALL CONSIST OF:

In Jefferson County:

Tract 0040

Block Group 1

Blocks 108, 114-116 and 123

Block Group 2

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Block Group 3

Block Group 4

Block Group 5

Block Group 6

Block Group 7

Block Group 8

Tract 0052

Tract 0051.02

Block Group 9

Tract 0057.02

Tract 0057.01, less Block Group 6, Blocks 625-628, 634 and less
Block Groups 7 and 8

Tract 0038.03

Tract 0039

Tract 0130.02

Block Group 1

Blocks 105, 109-111 and 151

Tract 0031

Block Groups 2, 3, 4 and 5

Tract 0030.01

Block Groups 7 and 8

Tract 0132

Block Groups 3 and 4

Tract 0107.06

Block Group 9

Blocks 919, 921-923

HOUSE DISTRICT 39 SHALL CONSIST OF:

In Jefferson County:

Tract 0030.02

Tract 0029

Tract 0030.01, less Block Groups 7 and 8

Tract 0040

Block Group 1

Blocks 104, 106, 109-113, 117-118 and 120-122

Tract 0041

Tract 0042

Tract 0050

Block Group 2

Blocks 204-207, 209 and 211

Block Group 3

Block Group 4

Block Group 5

Tract 0051.01

Tract 0051.02, less Block Group 9

Tract 0028.02

Tract 0058

Tract 0014

Block Group 3

HOUSE DISTRICT 40 SHALL CONSIST OF:

In Jefferson County:

Tract 0037

Tract 0036

Tract 0038.01

Tract 0132, less Block Groups 3 and 4

Tract 0038.02

Tract 0034

Tract 0035

Tract 0123.01

Block Group 3

Block Group 4

Block Group 5

Blocks 549 and 550

Block Group 9

Blocks 917-923 and 925

Tract 0124.02, less Block Group 2 and Block Group 4

Tract 0125

Tract 0124.03

Block Groups 6 and 9

HOUSE DISTRICT 41 SHALL CONSIST OF:

In Jefferson County:

Tract 0141.03

Block Group 1

Blocks 101, 102 and 114

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Tract 0103.02

Tract 0101

Tract 0102

Tract 0138.01

Tract 0141.04

Tract 0137, less Block Group 4, Blocks 405 and 406

Tract 0103.01

Tract 0100.02

Block Group 2

Block 224

Tract 0104.01

Tract 0143.01

Block Group 3

Block Group 6

HOUSE DISTRICT 42 SHALL CONSIST OF:

In Walker County:

Tract 0213

Enumeration District 915

Tract 0214

Enumeration District 909U

Tract 0215

Tract 0216

In Jefferson County:

Tract 0141.02

Enumeration District 120

Tract 0139.02

Tract 0100.02, less Block Group 2, Block 224

Tract 0100.01

Tract 0140

Block Group 1

Tract 0123.01, less Block Groups 3 and 4, Block Group 5, Blocks 549 and 550, and Block Group 9, Blocks 923-925 and 917

Tract 0123.02, less Enumeration District 115

Tract 0122

Enumeration District 112

Enumeration District 113

HOUSE DISTRICT 43 SHALL CONSIST OF:

In Jefferson County:

Tract 0008

Tract 0007

Tract 0002

Tract 0019.02

Tract 0003

Block Group 1

Tract 0005, less Block Groups 4, 5 and 6 and less Blocks 307, 311
and 319

Tract 0055

Tract 0004

Tract 0054

Tract 0119.03

Block Group 1

Block Group 3, less Blocks 303-310, 313, 314, 316, 324-325, 342-
344, 346, 347

Block Group 4

Tract 0119.02

Tract 0006

Block Group 1

Block Group 5

Blocks 511, 514

HOUSE DISTRICT 44 SHALL CONSIST OF:

In Jefferson County:

Birmingham Division

Tract 0009

Block Groups 1, 2, 3 and 5

Tract 0014

Block Groups 1, 2, 4, 5, 6 and 7

Tract 0015

Tract 0016

Tract 0025

Tract 2601

Tract 2602

Tract 0027

Tract 2801

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Tract 0044

Tract 0045

Tract 0046

Tract 4701

Tract 4703

Tract 0049

Block Groups 1 and 4

HOUSE DISTRICT 45 SHALL CONSIST OF:

In Jefferson County:

Tract 0120.01

Tract 0011

Tract 0012

Tract 0010

Tract 0031:

Block Group 1

Block Group 6

Block Group 7

Tract 0032

Tract 0033

Tract 0120.02:

Block Group 5

Tract 0124.01

Tract 0124.02:

Block Group 2

Block Group 4

Tract 0009:

Block Group 4

Block Group 6

Block Group 7

Block Group 8

HOUSE DISTRICT 46 SHALL CONSIST OF:

Tuscaloosa County

Tract 0113

Blocks 101 and 120

Tract 0116

Tract 0117

Tract 0118

Tract 0119

Tract 0120

Tract 0124

Tract 115, Block Group 1

Tract 125 (Tuscaloosa City pt.)

Block Group 1

Tract 125, Blocks 102, 105p, 107p, 111, 112 and 123 in the Remainder of the Tuscaloosa Division

Tract 123, Blocks 221-225 and 229 in the Remainder of the Tuscaloosa Division

HOUSE DISTRICT 47 SHALL CONSIST OF:

Tuscaloosa County

Tuscaloosa City part of Windham Springs Division

Tract 0104.02

Tract 0105

Tract 0108, Block Group 1, Blocks 203 and 235, Block Group 3 except Blocks 301-311 and 340, and Block Group 9

Tract 0109

Tract 0110

Tract 0111

Tract 0112

Tract 0113, less Blocks 101 and 120

Tract 0114

Tract 0115, less Block Group 1

Tract 0121, Blocks 105-108, 110, 112-120, 211-225 and 238

Brookwood Division

HOUSE DISTRICT 48 SHALL CONSIST OF:

All of Bibb County

Tuscaloosa County

Abernant Division

Coaling-Vance Division

Tract 0108, Block Group 2 except Blocks 203 and 235, Block Group 4, Blocks 301-311, and Block 340

Tract 0121, Blocks 101-104, 226-234, 109, 122-130, 133, 202 and 204-210

Tract 0122

Tract 0123, less Blocks 221-225 and 229 in the Remainder of the

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Tuscaloosa Division

HOUSE DISTRICT 49 SHALL CONSIST OF:

In Jefferson County:

Tract 0129.04

Block Group 9

Blocks 906-909

In Shelby County:

Tract 0303.01

Tract 0303.02

Tract 0304.01

Tract 0304.02:

Enumeration District 21

Tract 0306.01

Tract 0306.02, except Enumeration District 14

HOUSE DISTRICT 50 SHALL CONSIST OF:

In Jefferson County:

Tract 0141.03:

Less Block Group 1, Blocks 101, 102 and 114

Tract 0141.02, less Enumeration District 120

Tract 0141.05

Tract 0104.02

Tract 0143.01

Block Group 4

Tract 0142.03

Tract 0142.02

Tract 0142.04

Tract 0144.03

Tract 0140, less Block Group 1

Tract 0144.02, less Block Group 4 and less Block Group 8, Blocks
801-805, 807-813, 815, 818, 829, and 833

Tract 0143.02

Block Group 1, less Blocks 101-103 and 105

Block Group 2, less Block 208

Block Group 3, less Blocks 308, 338-344

Block Group 9, less Blocks 903-905 and 910

HOUSE DISTRICT 51 SHALL CONSIST OF:

In Jefferson County:

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Tract 0129.03

Tract 0129.02

Tract 0129.01, less Block Group 2

Tract 0129.04, less Block Group 9, Blocks 906-909

Tract 0144.02:

Block Group 4

Block Group 8

Blocks 801-805, 807-813, 815, 818, 829 and 833

Tract 0144.01

Block Group 3

Block Group 2

HOUSE DISTRICT 52 SHALL CONSIST OF:

In Jefferson County:

Tract 0110

Tract 0127.02

In Shelby County:

Tract 0301

Tract 0302

Tract 0305

Tract 0306.02, Enumeration District 14 only

Tract 0307.01

Tract 0307.02

Tract 0308

In Talladega County:

In Sylacauga Division:

Enumeration District 699A

HOUSE DISTRICT 53 SHALL CONSIST OF:

All of Chilton County

In Shelby County:

Enumeration District 15

Enumeration District 16

Enumeration District 17

Enumeration District 18

Enumeration District 20

HOUSE DISTRICT 54 SHALL CONSIST OF:

Coosa County (all)

All Sylacauga Division except:

Enumeration District 699A

Sycamore-Winterboro Division

HOUSE DISTRICT 55 SHALL CONSIST OF:

In Talladega County:

Childersburg Division

Renfore-Lanier Division

Talladega Division

In Lincoln-Eastaboga Division:

Enumeration District 656A

HOUSE DISTRICT 56 SHALL CONSIST OF:

In St. Clair County:

All of St. Clair County except:

In the Springville Division, Town of Springville,

Enumeration District 859

Enumeration District 860 and in the Remainder of Springville Division, Enumeration District 865

HOUSE DISTRICT 57 SHALL CONSIST OF:

In Calhoun County:

All of Census Tracts 18, 21, 22, 23, 24, and that part of Census Tract 25 not included in Blocks 210, 211, 333, 334, 335, 336, 337

Census Tract 20, less Block Groups 2 and 3

HOUSE DISTRICT 58 SHALL CONSIST OF:

In Calhoun County:

Census Place 1325 and 0200 of the Anniston Division; And
In the remainder of the Anniston Division (Census Place 9999) Tract 1p, 4p, 5p, 6p, 11p, 12p; and All of Census Tracts 13, 15, 16, 17 and only that part of Census Tract 25 included in Blocks 210, 211, 333, 334, 335, 336, 337

Tract 0001 (city part)

Tract 0004, less Block Group 4, Block Group 6 and Block 550

Tract 0014, less Block Group 1

HOUSE DISTRICT 59 SHALL CONSIST OF:

In Calhoun County:

All of Anniston City except that part in Tract 1

In Tract 4 in the Remainder of Anniston Division, Block Group 4, Block Group 6 and Block 550•

In Tract 14 in the Remainder of Anniston Division, Block Group 1

Tract 19 in the Remainder of Anniston Division

In Tract 20 of the Choccoloco Division, Block Group 2 and Block Group 3

Tract 0010p in the Remainder of the Anniston Division

HOUSE DISTRICT 60 SHALL CONSIST OF:

Clay County

Cleburne County

Munford Division of Talladega County

All of Lincoln-Eastaboga Division of Talladega County, except Enumeration District 656A

Calhoun County

Ohatchee Division

HOUSE DISTRICT 61 SHALL CONSIST OF:

All of Randolph County

In Chambers County:

All of the Five Points Division

All of the Milltown Division

All of the Lanett Division

Only E. D. 108 of the LaFayette Division

HOUSE DISTRICT 62 SHALL CONSIST OF:

All of Tallapoosa County not included in E. D. 185 and E. D. 187 of the Camp Hill Division

HOUSE DISTRICT 63 SHALL CONSIST OF:

In Chambers County:

In Remainder of LaFayette Division:

Enumeration District 107

The Waverly Division

In Tallapoosa County:

In Camp Hill Division:

Enumeration District 185

Enumeration District 187

In Lee County:

All of the City of Auburn, except Tract 0405p of the Auburn-Opelika Division

In remainder of Auburn-Opelika Division: Tract 0404p

Block Group 4

Blocks 404 and 405

Tract 0406p

Tract 0409p

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Tract 0411p

Tract 0412p of Enumeration District 529

All of Loachapoka-Roxana Division except Tract 0410, Block 215

HOUSE DISTRICT 64 SHALL CONSIST OF:

In Chambers County:

All Lafayette City in Lafayette Division

Enumeration District 109 of Lafayette Division

All Langdale Division

In Lee County:

Beulah Division

In Auburn-Opelika Division

Block Groups 1, 2, 3(p) and 4 of

Tract 0411(p) in City of Opelika

Tract 0412(p) of City of Opelika

Tract 0413

Tract 0414

Block Group 2

Blocks 205-215

In Tract 417:

Block Group 1

Block Group 2

Block Group 3

Blocks 323 and 326

Blocks 315-317, 324 and 325 in City of Opelika

In Remainder of Auburn-Opelika Division

In Tract 0412:

Blocks 101 through 109 of Block Group 1

HOUSE DISTRICT 65 SHALL CONSIST OF:

All of Russell County except Phenix City Division

In Lee County:

In Auburn-Opelika Division

Auburn City:

Tract 0405(p)

Opelika City:

Tract 0405(p)

All of Tract 0414 except Blocks 205-215

All of Tract 0415

All of Tract 0416

In Tract 0417(p):

Block Group 3, except Blocks 315, 316, 317, 324p and 325p

In Remainder of Auburn-Opelika Division:

Tract 0404p, less Blocks 404 and 405

Tract 0405p

Tract 0417p

Block Group 3, less Blocks 323 and 326

All of Beauregard-Marvin Division

All of Smiths-Salem Division

In Loachapoka-Roxana Division

Tract 0410

Block 215

HOUSE DISTRICT 66 SHALL CONSIST OF:

In Russell County:

All of Phenix City Division

HOUSE DISTRICT 67 SHALL CONSIST OF:

All of Bullock County

All of Macon County

HOUSE DISTRICT 68 SHALL CONSIST OF:

Pike County

In Barbour County:

Louisville Division

Clayton Division

Eufaula Division, remainder

Enumeration District 325

Enumeration District 326A

Enumeration District 327A

HOUSE DISTRICT 69 SHALL CONSIST OF:

In Barbour County:

Clio Division

In Henry County:

Abbeville Division

In Dale County:

Ozark Division

Ozark Division

Echo Division,

Enumeration District 650

Fort Rucker Division, remainder

Enumeration District 667

Enumeration District 668

HOUSE DISTRICT 70 SHALL CONSIST OF:

In Barbour County:

All of Eufaula Division, except

Enumeration District 325,

Enumeration District 326A,

Enumeration District 327A in remainder of Eufaula Division

All of Bakerhill Division

In Henry County:

All of Shorterville Division

All of Haleburg Division

All of Headland-Newville Division

In Houston County:

Tract 0416

Tract 0417

Tract 0419

Enumeration District 764 in remainder of Gordon Division

Tract 0418p in Gordon Division (Town of Gordon)

HOUSE DISTRICT 71 SHALL CONSIST OF:

In Houston County:

Tract 0402, less Block Groups 1-4 and 9 and Blocks 601-603, 609-615, 617-620, 632-633

Tract 0404

Tract 0414p, Block Groups 3 and 4

Tract 0405

Tract 0406

Tract 0407

Tract 0408, except Taylor town, Block Group 1 (outside city) and Blocks 205-208

Tract 0410

Tract 0411

Tract 0412

Tract 0413

Tract 0415

Blocks 404-419, 422, 423, 431-434, 634, 714-730

Block Group 5

Tract 0414, Block Groups 1 and 2

HOUSE DISTRICT 72 SHALL CONSIST OF:

In Dale County

Daleville Division

Newton-Midland City Division

Enumeration District 669

Enumeration District 666 of Fort Rucker Division

Enumeration District 651 and

Enumeration District 652 of the Echo Division

Enumeration District 670 of the Fort Rucker Division

Newton Town of the Fort Rucker Division

In Houston County:

Tract 0401

Tract 0403

Tract 0402:

Block Group 1

Block Group 2

Block Group 3

Block Group 4

Block Group 9

Block Group 6

Blocks 601-603, 609-615, 617-620, 632 and 633

Tract 0408:

Block Group 1 (outside city)

Blocks 205-208

Tract 0415, less Blocks 404-419, 422, 423, 431-434, 634 and 714-730
and Block Group 5

HOUSE DISTRICT 73 SHALL CONSIST OF:

In Coffee County:

Enumeration District 264

Enumeration District 267

Geneva County

In Houston County:

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Madrid Division

Cottonwood Division

In Remainder of Gordon Division:

Enumeration District 765

Dothan Division

Tract 0409

Tract 0408 Taylor town only

HOUSE DISTRICT 74 SHALL CONSIST OF:

All of Coffee County except:

Enumeration District 264

Enumeration District 267

HOUSE DISTRICT 75 SHALL CONSIST OF:

All of Covington County

HOUSE DISTRICT 76 SHALL CONSIST OF:

In Elmore County:

The Tallassee Division

The Eclectic Division

The Wetumpka Division

The Titus Division

The Elmore Division, except

Block Group 1 of Tract 0104p in the Prattville City part, the remainder of Elmore Division Tract 0104p

Block Group 1 and Enumeration District 976

HOUSE DISTRICT 77 SHALL CONSIST OF:

In Montgomery County:

Montgomery Division

Tract 0001

Tract 0002

Tract 0003

Tract 0004

Blocks 114, 201, 202, 407, 408, 410-414 and 501-512

Block Group 6, 7, 8

Tract 0006

Tract 0007

Block 204

Tract 0015

Block Group 5

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Block Group 7

Block Group 2

Blocks 106, 107, 111-122, 124, 301-315, 317-321, 401-406, 409, 410, 416-417, 419, 450 and 451

Tract 0051.01, Blocks 913, 928, 929, 932, 935, 936, 940, 941, 951, 955, 958, 960, 961, 963, 964, 965, 966, 968, 969, 971, 973, 989, 801, 802, 904, 910, 911, 912, 927, 942, 959

Tract 0051.02

Tract 0051.03

Tract 0011, Block Groups 1, 5, 7 and 8

Blocks 201, 203, 204, 205, 209, 210, 211, 212, 215, 222, 225, 604, 605, 615, 625, 626, 628, 629, 632, 634

Tract 0053.01

Tract 0025

HOUSE DISTRICT 78 SHALL CONSIST OF:

In Montgomery County:

Ramer Division

Pike Road Division

Pine Level Division

Mt. Meigs Division

Hope Hull Division:

Tract 0059.01

Blocks 101-103, 110, 111p and 909p

Enumeration District 1031A

Enumeration District 1033T

Montgomery Division

Tract 0029

Tract 0032

Tract 0051.01, Blocks 945, 943, 962p, 949

Tract 0054.01

Tract 0056.02

Tract 0054.03

Tract 0054.04

Tract 0054.05

Tract 0056.03, except Blocks 902, 903, 945, 946, 947, 948, 949, 950, 951

In Remainder of Montgomery Division

Tract 0056.03p

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In Montgomery County:

Montgomery Division

Tract 0004

Block Group 3

**Blocks 106, 103, 105, 113, 117, 109, 118, 102, 101, 209, 210, 208,
211, 207, 205, 206, 115, 112, 111, 212, 213, 204**

Tract 0016

Tract 0017

Tract 0027

Tract 0026

Tract 0005

Tract 0019

Tract 0018

Tract 0053.02

Tract 0054.02

HOUSE DISTRICT 80 SHALL CONSIST OF:

In Montgomery County:

Tract 0011

Block 601

Block Group 3, less Blocks 302-303 and 330

Block Group 4, less Blocks 412-419

Tract 0010

Tract 0013

Block Group 2

Blocks 111-114, 301, 308-309

Tract 0022

Blocks 301-311, 403, 405-411, 422, 601-608, 701-710 and 903

Block Group 5

Block Group 8

Block Group 1

Block Group 2

Tract 0023

Block Group 1, less Blocks 101, 106-107

Block Group 2, 3, 5

Blocks 401-407, 409-416, 418

Tract 0024

Tract 0060.01

Block Group 1, 2

Blocks 901-924, 930, 931, 988, 989

Tract 0009

Tract 0030

HOUSE DISTRICT 81 SHALL CONSIST OF:

In Montgomery County:

Montgomery Division

Tract 0007

Block Group 1, 5, 6, 7

Block Group 2

Blocks 201-203, 205-207

Block Group 3

Blocks 301-308

Block Group 4

Blocks 401-408

Tract 0012

Block Groups 1-4, 6-8

Block Group 5

Blocks 501-502, 504, 505, 507-509, 515, 516

Tract 0013

Block Group 1, less Blocks 111-114

Blocks 402, 403, 405, 415, 401, 406, 407, 408, 409, 410, 411, 302-307, 310-315

Tract 0011

Blocks 216-220, 224, 302-303, 330, 412-419

Tract 0023

Blocks 101, 106-107

Tract 0020

Tract 0021

Tract 0028

Tract 0033

Tract 0031

Tract 0014

Tract 0056.03

Blocks 902, 903, 945, 946, 947, 948, 949, 950 and 951

HOUSE DISTRICT 82 SHALL CONSIST OF:

In Autauga County:

Billingsley Division

Prattville Division

Marbury Division

In Elmore County:

Deatsville Division

Elmore Division

Block Group 1 of Tract 0104p in the Prattville City part

Enumeration District 976

The Remainder of Elmore Division

Tract 0104p Block Group 1

HOUSE DISTRICT 83 SHALL CONSIST OF:

Wilcox County, less the Alberta Division and less

Enumeration District 32

Lowndes County

Montgomery County

Montgomery Division

Tract 0060.02

Hope Hull Division

Tract 0059.02

Tract 0059.01, less Blocks 101-103, 110, 111p, 909p and Enumeration Districts 1031A and 1033T

In Dallas County:

Enumeration Districts 59 and 60

HOUSE DISTRICT 84 SHALL CONSIST OF:

Butler County

Crenshaw County

HOUSE DISTRICT 85 SHALL CONSIST OF:

In Dallas County:

City of Selma

Enumeration District 52-U

Enumeration District 52-V

Enumeration District 51

Enumeration District 50

Enumeration District 52-T

In Autauga County:

Autaugaville Division

HOUSE DISTRICT 86 SHALL CONSIST OF:

All of Perry County

In Dallas County:

Enumeration District 55
Enumeration District 69
Enumeration District 53
Enumeration District M-62
Enumeration District 61
Enumeration District 67
Enumeration District 66
Enumeration District 68
Enumeration District 54
Enumeration District 58
Enumeration District 57
Enumeration District 65
Enumeration District 63
Enumeration District 56-A
Enumeration District 56-B

Town of Orrville

In Wilcox County

Alberta Division

Enumeration District 32

HOUSE DISTRICT 87 SHALL CONSIST OF:

All of Greene County

All of Hale County

In Sumter County:

Belmont Division

Enumeration District 234

Livingston Division

Epes Town

Enumeration District 229

Livingston City

Enumeration District 230

Enumeration District 231

Enumeration District 232B

Remainder of Livingston Division

Enumeration District 233

In Marengo County

Faunsdale Division

Thomaston Division

Enumeration District 367

Linden Division

Remainder of Linden Division

Enumeration District 364

Providence Town

Enumeration District 360

HOUSE DISTRICT 88 SHALL CONSIST OF:

All of Choctaw County

In Marengo County

Sweetwater Division

Dixon Mills Division

Demopolis Division

Thomaston Division

Thomaston Town

Enumeration District 366

Remainder Thomaston Division

Enumeration District 368

Linden Division

Linden City

Enumeration District 361

Enumeration District 362

Myrtlewood Town

Enumeration District 363

Remainder of Linden Division

Enumeration District 365

HOUSE DISTRICT 89 SHALL CONSIST OF:

Tuscaloosa County

Coker Division

Elrod-Moore's Bridge Division

Enumeration District 654

Samantha Division

Windham Springs Division less Tuscaloosa City part

Tract 0104.01

Tuscaloosa Division part of

Tract 0102

Pickens County

Gordo Division

Reform Division less Enumeration District 557

HOUSE DISTRICT 90 SHALL CONSIST OF:

In Tuscaloosa County

Fosters Division

Big Sandy-Duncanville Division

Tract 0125, less Block Group 1 in Tuscaloosa City part, and less Blocks 102, 105p, 107, 111, 112 and 123 in the Remainder of the Tuscaloosa Division

Elrod-Moore's Bridge—Echola Division

Enumeration District 655

In Pickens County

Aliceville Division

Carrollton Division

Ethelsville Division

Raleigh Division

Reform Division

Enumeration District 557

In Sumter County

Cuba Division

Cuba Town

Enumeration District 240

Remainder Cuba Division

Enumeration District 241

Gainesville Division

Gainesville Town

Enumeration District 227

Remainder Gainesville Division

Enumeration District 228

Livingston Division

Remainder Livingston Division

Enumeration District 232A

Panola-Geiger Division

Geiger Town

Enumeration District 225

Remainder Panola-Geiger Division

Enumeration District 226

York Division

Cuba Town

Enumeration District 237

York City

Enumeration District 235T

Enumeration District 235U

Enumeration District 236

Remainder York Division

Enumeration District 238

Enumeration District 239

HOUSE DISTRICT 91 SHALL CONSIST OF:

Escambia County

HOUSE DISTRICT 92 SHALL CONSIST OF:

Clarke County

In Baldwin County:

Stockton Division

In Washington County:

Millry Division, except Enumeration District 126T

In Remainder of Chatom Division, Enumeration District 129

In Wagarville Division, Enumeration District 130

HOUSE DISTRICT 93 SHALL CONSIST OF:

Conecuh County

Monroe County

HOUSE DISTRICT 94 SHALL CONSIST OF:

In Baldwin County:

Foley Division

Fairhope Division

All of the Daphne Division except Blocks 101 thru 154; 156 thru 159; 197, 198, 199; 209 thru 223, in the remainder of Daphne Division.

HOUSE DISTRICT 95 SHALL CONSIST OF:

In Baldwin County:

Bay Minette Division

Elberta Division

Summerdale Division

All of Robertsdale Division

Remainder of Daphne Division

Blocks 101 thru 154, 156 thru 159, 197, 198, 199, 209 thru 223, in the remainder of Daphne Division.

HOUSE DISTRICT 96 SHALL CONSIST OF:

In Washington County:

Enumeration District 127

Enumeration District 128

Enumeration District 126T

Enumeration District 131

Enumeration District 132

Enumeration District 133

Enumeration District 134

Enumeration District 135

Enumeration District 136

In Mobile County:

In Citronelle Division:

In Tract 0059:

Enumeration District 532

Enumeration District 533A

Enumeration District 533B

Tract 0060

Remainder Mobile Division,

In Tract 0061p:

Blocks 810, 811, 812, 813, 814

Enumeration District 571

Remainder Mobile Division of Tract 0034.03: (Partial)

Block Group 4

Block 504

Block 510p

Blocks 901, 905, 906

In Semmes Division:

In Tract 0062:

Enumeration District 535

Enumeration District 536

Enumeration District 534

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Tract 0063

In Tanner-Williams Division of Tract 0064:

Block Group 1

Block Group 2

Blocks 301-307

Block 319, 320, 322, 323

Block Group 4

Block 901, 906

Blocks 801-819

Block 821, 822, 823, 843, 846, 849

HOUSE DISTRICT 97 SHALL CONSIST OF:

In Mobile County:

Mobile City:

Tract 0038.02p

Tract 0052p

Mobile Division:

Tract 0038.02p

Tract 0038.99

Tract 0052p

Tract 0053p

Tract 0054p

Tract 0056p

Tract 0057p

Creola Town:

Tract 0038.02p

Tract 0057p

Chickasaw City:

Tract 0038.02p

Tract 0050p

Tract 0051

Tract 0052

Tract 0053p

Tract 0054p

Saraland City:

Tract 0038.02p

Tract 0054p

Tract 0055

Tract 0056p

Tract 0057p, (Block 924p, 923p, 988p, 922)

Satsuma City:

Tract 0056p

Tract 0057p

Mt. Vernon Division:

Tract 0058:

Enumeration Districts 525-529

Saraland City:

Tract 0061p

Remainder of Mobile Division:

Tract 0061p:

Blocks 227, 801-809, 815-834, 901, 904-906, 912, 913p, 918, 919,
924, 944, 958, 964, 970, 972, 976, 978p, 979p, 980, 981, 982

HOUSE DISTRICT 98 SHALL CONSIST OF:

In Mobile County:

Mobile Division:

Mobile City:

Tract 0026 (Partial), Blocks 101, 102, 115, 602, 604 and 605

Prichard City:

Tract 0034.01p (Block 122)

Tract 0034.02p

Mobile City:

Tract 0039.01p

Prichard City:

Tract 0039.01p

Mobile City:

Tract 0039.02p

Prichard City:

Tract 0039.02p

Prichard City:

Tract 0050p

Tract 0040

Tract 0041

Tract 0042 (Partial)

Block Group 1

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Blocks 201-203

Blocks 210-219

Block Group 3

Mobile City:

Tract 0045p

Blocks 101p, 124p, 125p

Prichard City:

Tract 0045p

Tract 0046 (Partial)

Block Group 1

Block Group 2

Tract 0047

Tract 0048

In Mobile City:

Tract 0049p

In Prichard City:

Tract 0049p

Tract 0061p

HOUSE DISTRICT 99 SHALL CONSIST OF:

In Mobile County:

Tract 0005 (Partial) (All except Block Group 3)

Tract 0006

Tract 0007.01

Tract 0007.02

Tract 0008

In Remainder of Mobile Division:

Tract 0043p

Tract 0012.01p

In Mobile Division:

Mobile City:

Tract 0012.01p

Prichard City:

Tract 0012.01p

Mobile City:

Tract 0026 (All except Blocks 101, 102, 115, 602, 604 and 605)

Tract 0038.01

Prichard City:**Tract 0042 (Partial)****Blocks 204-209****Mobile City:****Tract 0043p****Tract 0044p****Tract 0045p (Blocks 113p, 128p, 129p)****Block Group 2p (Block 204p)****Prichard City:****Tract 0043p****Tract 0044p****Tract 0046 (Partial) (Block Group 3 only)****HOUSE DISTRICT 100 SHALL CONSIST OF:****In Mobile County:****In Mobile Division:****In Mobile City:****Tract 0034.03****Tract 0034.04****Tract 0034.05 (Partial) (All except Block 133)****Tract 0036.01****Tract 0036.02****Tract 0036.03****Tract 0037.01****In Tanner-Williams Division (Partial):****Tract 0064****Blocks 308-318****Blocks 831-842, 844, 845****Block Group 9****Enumeration District 543****Enumeration District 542T****Enumeration District 542U****Blocks 847, 848, 850-856****In Remainder Mobile Division:****Tract 0034.03****Blocks 501, 502, 503****Blocks 907, 908, 911, 914, 930**

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HOUSE DISTRICT 101 SHALL CONSIST OF:

In Mobile County:

In Mobile Division:

In Mobile City:

Tract 0031 (Partial)

Block Group 2

Blocks 201, 202, 206-210, 220-222, 225-229 and 231

Block Group 3

Tract 0032.01

Tract 0032.02

Tract 0032.03 (Partial)

Tract 0033.01

Tract 0033.02

Tract 0034.01

Tract 0034.02 (Mobile City only)

Tract 0034.05 (Block 133 only)

Tract 0034.06

Tract 0035.01

Tract 0035.02

Tract 0061p:

Block 212p

Block 977p

Block 978p

In Remainder of Mobile Division:

Tract 0061p:

Block 212p

Block 213

Block 977p

Tract 0034.01p

Block 122p

Tract 0034.02p

Block 127p

HOUSE DISTRICT 102 SHALL CONSIST OF:

In Mobile County:

Tract 0009.01, less Block Groups 1 and 2

Tract 0009.02

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Tract 0009.03

Tract 0014 (Blocks 501-512, 514 and 515 and Block Groups 4 and 6)

Tract 0015.01

Tract 0023.01, less Blocks 304-306, 310 and 311

Tract 0023.02

Tract 0024

Tract 0025.01

Tract 0025.02

Tract 0027

Tract 0028

Tract 0029

Tract 0031 (Partial) (Block 101 only)

HOUSE DISTRICT 103 SHALL CONSIST OF:

In Mobile County:

Tract 0001

Tract 0002

Tract 0003

Tract 0004.01

Tract 0004.02

Tract 0005 (Block Group 3 only)

Tract 0009.01

Block Groups 1 and 2

Tract 0010.01

Tract 0010.02

Tract 0011

Tract 0012.02

Tract 0012.99

Tract 0013.01

Tract 0013.02

Tract 0014, less Blocks 501-512 and 514-515 and

Block Groups 4 and 6

Tract 0015.02

Tract 0016

Tract 0017

Tract 0018 (Partial)

Blocks 101, 102, 104-111, 112-114, 117-119 and 121-124

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Tract 0019.01 (Blocks 101, 102 and 110)

Tract 0019.02 (Partial)

Blocks 101-116

Block 120

Block 121

Blocks 302-313

HOUSE DISTRICT 104 SHALL CONSIST OF:

In Mobile County:

In Mobile Division:

In Mobile City:

Tract 0018 (Partial)

Block Group 2

Tract 0019.01 (Partial)

(All except Blocks 101, 102 and 110)

Tract 0019.02 (Partial)

Block 117

Block Group 2

Blocks 314 and 315

Tract 0020

Tract 0021

Blocks 101-109 and 112-118

Block Group 2

Block Group 3

Block Group 4

Tract 0022

Tract 0023.01

Blocks 304-306, 310 and 311

Tract 0030

Tract 0031 (Partial)

Block Group 2, less Blocks 201, 202, 206-210, 220-222, 225-229
and 231

Tract 0037.02

Tract 0068p (Partial)

Block Group 230p

In Mobile Division (Partial):

Tract 0068:

Block Group 1

Block Group 2

Block Group 3

In Mobile County:

In Theodore Division:

Tract 0069 (Partial):

Blocks 125, 126, 151, 152

Tract 0070 (Partial)

Block Group 1, except Blocks 137-140

Block Group 9

Tract 0071 (Partial):

Enumeration District 557

Enumeration District 558

Enumeration District 559

HOUSE DISTRICT 105 SHALL CONSIST OF:

In Mobile County:

In Grand Bay Division:

Tract 0065

Tract 0066

Tract 0067

In Theodore Division (Partial):

Tract 0069 (Partial)

Block Group 1, Minus Blocks 125, 126, 151, 152

Block Group 3

Block Group 2

Tract 0070 (Partial):

Blocks 137-140

Tract 0071 (Partial):

Block Group 1

In Bayou la Batre Division:

Tract 0072.01

Tract 0072.02

Tract 0072.99

Tract 0073

Section 2. The Senate of the Alabama Legislature shall consist of 35 members and the state is hereby divided into 35 senatorial districts for the election of one senator from each district at-large. Each Senator shall reside in the district he represents. Each senatorial district shall be composed of districts into which the state is divided by Section 1 of this Act for the

purpose of electing members of the House of Representatives of the Alabama Legislature as follows:

- District 1 House District Nos. 1, 2 and 3;
- District 2 House District Nos. 4, 5 and 6;
- District 3 House District Nos. 7, 8 and 9;
- District 4 House District Nos. 10, 11 and 12;
- District 5 House District Nos. 13, 14 and 15;
- District 6 House District Nos. 16, 17 and 18;
- District 7 House District Nos. 19, 20 and 21;
- District 8 House District Nos. 22, 23 and 24;
- District 9 House District Nos. 25, 26 and 27;
- District 10 House District Nos. 28, 29 and 30;
- District 11 House District Nos. 31, 32 and 33;
- District 12 House District Nos. 34, 35 and 36;
- District 13 House District Nos. 37, 38 and 39;
- District 14 House District Nos. 40, 41 and 42;
- District 15 House District Nos. 43, 44 and 45;
- District 16 House District Nos. 46, 47 and 48;
- District 17 House District Nos. 49, 50 and 51;
- District 18 House District Nos. 52, 53 and 54;
- District 19 House District Nos. 55, 56 and 60;
- District 20 House District Nos. 57, 58 and 59;
- District 21 House District Nos. 61, 62 and 63;
- District 22 House District Nos. 64, 65 and 66;
- District 23 House District Nos. 67, 68 and 69;
- District 24 House District Nos. 70, 71 and 72;
- District 25 House District Nos. 73, 74 and 75;
- District 26 House District Nos. 76, 77 and 78;
- District 27 House District Nos. 79, 80 and 81;
- District 28 House District Nos. 82, 83 and 84;
- District 29 House District Nos. 85, 86 and 87;
- District 30 House District Nos. 88, 89 and 90;
- District 31 House District Nos. 91, 92 and 93;
- District 32 House District Nos. 94, 95 and 97;
- District 33 House District Nos. 102, 98 and 99;
- District 34 House District Nos. 100, 101 and 96;
- District 35 House District Nos. 103, 104 and 105.

Section 3. All laws or parts of laws which conflict with this act are hereby repealed, and Act No. 81-1049, 1981 Second Special Session and Act No. 82-629, 1982 First Special Session, are hereby expressly repealed and shall have no other effect of law.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. The provisions of this Act shall be effective for the election of members of the House of Representatives and for the election of Senators in the Alabama Legislature at the general election of 1982, and until each house of the Legislature, respectively, is reapportioned in accordance with the provisions of the Alabama Constitution.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 15. COMMENDING THE ENTERPRISE HIGH SCHOOL BAND.

Also:

H. J. R. 19. COMMENDING THE DOUGLAS HIGH SCHOOL EAGLES ON THEIR OUTSTANDING 1982 FOOTBALL SEASON.

Also:

H. J. R. 20. COMMENDING MRS. VIOLA FOLEY OF THE ELSANOR COMMUNITY.

Also:

H. J. R. 21. COMMENDING MR. ROY STAPLETON OF BAY MINETTE, AS ALABAMA'S VETERAN OF THE YEAR.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

RESOLUTIONS

Senator Kirkland offered the following Senate Resolutions, to-wit:

S. R. 10. COMMENDING MRS. COO SKIPPER MCLEOD AS JACKSON CITIZEN OF THE YEAR.

Also:

S. R. 11. COMMENDING MRS. SYBIL HILL DEEVERS OF GROVE HILL, ALABAMA.

Also:

S. R. 12. MOURNING THE DEATH OF MR. LOUIS N. BELL OF FLOMATON, ALABAMA.

Also:

S. R. 13. COMMENDING MR. JOHN B. WILKERSON, JR., OF THE BOARD OF CONTROL, EMPLOYEES' RETIREMENT SYSTEM OF ALABAMA.

Also:

S. R. 14. COMMENDING MR. ALEX JOHNSON OF EVERGREEN, ALABAMA, AS PRESIDENT-ELECT OF THE ALABAMA ASSOCIATION FOR PUBLIC CONTINUING AND ADULT EDUCATION.

Which were adopted.

Senators deGraffenried and Robertson offered the following Senate Joint Resolution, to-wit:

S. J. R. 15. MOURNING THE DEATH OF MR. BUFORD BOONE, DISTINGUISHED JOURNALIST AND TUSCALOOSA CIVIC LEADER.

WHEREAS, it is with deep sadness and regret that the Alabama Legislature notes the death of Mr. Buford Boone of Tuscaloosa, Alabama, on February 7, 1983, at the age of 74 years; and

WHEREAS, A native of Newnan, Georgia, and a graduate of Macon's Mercer University, Mr. Boone began in 1929 a distinguished journalistic career in first association with *The Macon Telegraph* and *The Macon News*; he served as special agent with the Federal Bureau of Investigation from 1942 until 1946, returning to Macon as Editor of *The Telegraph* until 1947; and

WHEREAS, Mr. Boone retired in 1968 as president and publisher of *The Tuscaloosa News*, remaining until 1974 as chairman of the board of the Tuscaloosa Newspapers, Incorporated, the publishing firm he organized in 1954; and

WHEREAS, thus ended an association with *The News* that spanned some 27 years and during which time Mr. Boone was awarded the most coveted of all honors, a Pulitzer Prize, cited by the Pulitzer Board for his editorial comment on the 1957 admittance of the first Black student to the University of Alabama; and

WHEREAS, in service to the profession he loved, Mr. Boone was responsible for establishing financial assistance for more than 300 university students and for assisting the university's department of journalism through numerous gifts and grants; and

WHEREAS, he was the recipient of a number of honors in his lifetime, in addition to the Pulitzer Prize, including the George Washington Medal from Freedoms Foundation, the Elijah Parish Lovejoy Award of Colby College, the Algernon Sydney Sullivan Award, and honorary doctorates among others; and

WHEREAS, Mr. Boone also was a silent contributor in all areas of

community concern, much of which went largely unnoticed through accomplishments unheralded in keeping with his quiet humility, a desire for anonymity and disregard for personal publicity; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Mr. Buford Boone of Tuscaloosa, Alabama, one of our state's most prominent citizens and the most benevolent of humanitarians.

BE IT FURTHER RESOLVED, That a copy of this resolution be provided for Mr. Boone's wife, Mrs. Frances Herin Boone, that she and their son, James B. Boone, Jr., their daughter, Mrs. Janette B. Younklin and other family members may know of the sorrow we share with them and with the Tuscaloosa Community and the entire State of Alabama.

On motion of Senator deGraffenried, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 7. ENDORSING THE PROCLAMATION OF FEBRUARY 1983 AS MEDICAL EYE MONTH.

Also:

H. J. R. 11. REQUESTING THAT THE UNITED STATES DEPARTMENT OF AGRICULTURE AND THE UNITED STATES MARITIME ADMINISTRATION PARTICIPATE IN A STUDY TO BE MADE BY THE AMERICAN ASSOCIATION OF PORT AUTHORITIES.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF S. B. 1

The Senate proceeded to further consideration of the Bill, S.B. 1. The question was on the substitute offered by Senator Smith (J).

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Starkey and Ashley (With Notice and Proof):

H. 4. Relating to Lauderdale County; amending Act No. 88, S. 181, 1959 Regular Session, (Acts 1959, p. 509), as amended, which provides for the county law library, so as to provide further for the collection of court

the county law library, so as to provide further for the collection of court costs for the maintenance of said library.

I hereby certify that the Notice & Proof is attached to the Bill, H.B. 4, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Adams and Johnson (Al) (With Notice and Proof):

H. 15. Relating to Russell County; providing that any person who was employed in the office of judge of probate prior to the election of any probate judge shall be entitled to continued employment in that office notwithstanding that such judge of probate is related by blood or marriage.

I hereby certify that the Notice & Proof is attached to the Bill, H.B. 15, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 4 and 15. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Manley:

H. 1. To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census, and to expressly repeal Act No. 81-1049, 1981 Second Special Session and Act No. 82-629, 1982 First Special Session.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1. To the Committee on Governmental Affairs.

FURTHER CONSIDERATION OF S. B. 1

The Senate proceeded to further consideration of the Bill, S.B. 1. The question was on the substitute offered by Senator Smith (J).

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Brooks, Hall, Freeman, Newman, Lauderdale, Nicholson, Hettinger, Scott, Richardson, Box, Zoghby, McKee, Wilson, Albright, Dutton, Cosby, Williams, Clikas, Butler, Smith, Murphy, Starr, Browder, Coleman, Coburn, Harvey, Gaston, Grimsley, Mathis and Junkins:

H. 6. To amend Section 13A-7-42 of the Code of Alabama 1975, defining the criminal offense of second degree arson, so as to provide further for such offense.

Also:

By Reps. Zoghby, Mathis, Williams, Box and Rains:

H. 14. To provide further for visitation rights of grandparents of minor children in certain cases of divorce or death and repeals Section 30-3-3, Code of Alabama 1975.

Also:

By Rep. Owens:

H. 16. To repeal Section 19 of Act No. 82-561, S. 102, Regular Session 1982 (Acts 1982, p. 922), relating to the Alabama Life and Disability Insurance Guaranty Association Act, which section prohibits the use of advertising of the Life and Disability Insurance Guaranty Association for purposes of sales, solicitation, or inducement to purchase any form of insurance covered by said act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H.B.'s 6 and 14. To the Committee on Judiciary.

H.B. 16. To the Committee on Banking and Insurance.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Manley:

H. 3. To adopt and incorporate into the Code of Alabama 1975 all general and permanent classified municipal laws of the State adopted by the legislature during the 1979 and 1980 Sessions and the 1981 Regular Session and all general and permanent laws, including the classified municipal laws, of the State adopted by the legislature during the 1981 First, Second and Third Special Sessions, the 1982 Regular Session and the 1982 First Special Session, as contained in the 1982 Cumulative Supplement to the

Code of Alabama 1975, and to make certain corrections in such cumulative supplement; to adopt and incorporate into the Code of Alabama 1975 the Intestate Succession and Wills Act (Act No. 82-399, S. 49, 1982 Regular Session, referred to as the Probate Code) as contained in Chapter 8 of Title 43 of the 1982 Replacement Volume 22 of the Code; and to adopt and incorporate into the Code of Alabama 1975 all general and permanent laws of the State adopted by the legislature during the 1982 Second Special Session as contained in the 1982 Interim Supplement to the Code of Alabama 1975.

Also:

By Rep. Langford:

H. 13. To provide further for exemptions from the requirement of continuing legal education; to exempt the governor, lieutenant governor, members of the legislature, secretary of the senate, clerk of the house, and employees of legislative reference service, should they be attorneys, from the requirement of mandatory continuing legal education.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H.B. 3. To the Committee on Governmental Affairs.

H.B. 13. To the Committee on Judiciary.

FURTHER CONSIDERATION OF S. B. 1

The Senate proceeded to further consideration of the Bill, S.B. 1. The question was on the substitute offered by Senator Smith (J).

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 1. ENDORSING THE PROCLAMATION OF FEBRUARY 1983 AS MEDICAL EYE MONTH.

Also:

S. J. R. 2. COMMENDING THE B. F. GOODRICH TUSCALOOSA PLANT.

Also:

S. J. R. 15. MOURNING THE DEATH OF MR. BUFORD BOONE, DISTINGUISHED JOURNALIST AND TUSCALOOSA CIVIC LEADER.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF S. B. 1

The Senate proceeded to further consideration of the Bill, S.B. 1. The question was on the substitute offered by Senator Smith (J).

ADJOURNMENT

At 5:40 P.M., on motion of Senator Teague, the Senate adjourned until Thursday, February 10, 1983, at 10 o'clock A.M.

**FOURTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 10, 1983**

The Senate met pursuant to adjournment, President Pro Tempore Teague presiding.

PRAYER

The Session was opened with prayer by the Reverend Brian Nicholson, Pastor, Oak Park Presbyterian Church, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Bishop	Dixon	Kirkland
Aldridge	Boyington	Figures	Little
Amari	Cabaniss	Foshee	Menton
Bachus	Cooley	Goodwin	Mitchell
Bailey	Corbett	Harrison	Mitchem
Barron	Covington	Hilliard	Robertson
Bedford	deGraffenried	Holmes	Smith (J)
Bedsole	Denton	Keener	Teague

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JOURNAL

On motion of Senator Denton, the reading of the Journal of yesterday was dispensed with.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Third Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,
Chairperson.

COMMITTEE REPORT

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Third Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Senator Denton, leave of absence was granted Senators Parsons, Pearson, Proctor, and Smith (B) for today.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 3. CREATING THE JOINT INTERIM OIL AND GAS STUDY

COMMITTEE.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Kennedy, Clark, Buskey, Turner and Zoghby:

H. J. R. 27. COMMEMORATING THE FOUNDING, IN 1853, OF THE SAINT LOUIS STREET BAPTIST CHURCH, MOBILE, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Figures, the Rules were suspended and the Resolution, H.J.R. 27, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. McMillan and Penry:

H. J. R. 28. COMMENDING MR. HARRY STILL, BAY MINETTE CITIZEN OF THE YEAR.

Also:

By Rep. Rogers:

H. J. R. 29. HONORING MS. TOREATHER MENCER.

Also:

By Rep. Rogers:

H. J. R. 30. COMMENDING THE JOHN FISHER FAMILY OF BIRMINGHAM, ALABAMA, FOR OUTSTANDING SERVICE ON BEHALF OF HOLY FAMILY HIGH SCHOOL.

Also:

By Rep. Rogers:

H. J. R. 31. COMMENDING THE WEST END HIGH SCHOOL LIONS, BIRMINGHAM CITY BASKETBALL CHAMPIONS.

Also:

By Reps. Smith, Moore, Murphy, Waggoner, Bennett, Owens and Horn:

H. J. R. 32. COMMENDING THE NATIONALLY RANKED UNIVERSITY OF MONTEVALLO LADY FALCONS VOLLEYBALL TEAM.

Also:

By Reps. Turnham, Smith, Adams, Albright, Ashley, Bennett, Biddle, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Brooks, Browder, Bryant, Buskey, Butler, Campbell, Carothers, Carter, Casey, Clark, Clikas, Coburn, Coleman, Cosby, Crow, Davis, Drake, Drinkard, Dutton, Escott, Faulk, Flowers, Ford, Freeman, Gaston, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Horn, Howard, Johnson, (A.L.), Johnson, (R.G.), Johnson, (Roy), Junkins, Kennedy, Kvalheim, Laird, Langford, Lauderdale, Layton, Lewis, McKee, McMillan, Manley, Martin, Mathis, Melton, Minus, Mitchell, Moore, Murphy, Nevett, Newman, Nicholson, Owens, Parker, Payne, Penry, Poole, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Scott, Seibels, Starkey, Starr, Stout, Thomas, Thornton, Trammell, Tucker, Turner, Venable, Waggoner, Warren, White (F), White (L), Williams, Wilson, Wright and Zoghby:

H. J. R. 33. COMMENDING THE FACULTY AND STAFF OF THE ALABAMA AGRICULTURAL EXPERIMENT STATION AND THE BOARD OF TRUSTEES OF AUBURN UNIVERSITY.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Boyington, the Rules were suspended and the Resolution, H.J.R. 28, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

On motion of Senator Hilliard, the Rules were suspended and the Resolutions, H.J.R.'s 29, 30, and 31, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

On motion of Senator Denton, the Rules were suspended and the Resolution, H.J.R. 32, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

On motion of Senator Little, the Rules were suspended and the Resolution, H.J.R. 33, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTION

Senator Mitchem offered the following Senate Joint Resolution, to-wit:

S. J. R. 16. SETTING MEETING DAYS OF THE LEGISLATURE.

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Wednesday, February 16, 1983.

On motion of Senator Mitchem, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Grouby:

H. J. R. 35. DESIGNATING 1982-1983 AS THE 60TH ANNIVER-

SARY YEAR OF RESERVE OFFICERS ASSOCIATION OF THE UNITED STATES IN ALABAMA.

WHEREAS, on October 2, 1922, the Reserve Officers Association of the United States was organized in Washington, D. C., at the urging of then General of the Armies John J. Pershing, with the objective to support a military policy for the United States that would provide adequate national security and to promote the development and execution thereof; and

WHEREAS, on June 30, 1950, this objective was reaffirmed in a Charter granted to the Reserve Officers Association by the Congress of the United States; and

WHEREAS, for the past 60 years, the Reserve Officers Association has acted as a catalyst between the military, citizen-soldiers, and Congress to educate and insure that the nation's defense remains strong and visible through coordinated efforts on both local and national levels; and

WHEREAS, for the past 60 years, the Reserve Officers Association has not only voiced its position on national security matters, but also influenced the passage of legislation to strengthen this national security; and

WHEREAS, the 126,000 members of the Reserve Officers Association, 2,600 state residents who are members of the 23 chapters in the State of Alabama, are commemorating the 60th Anniversary of the founding of the Reserve Officers Association of the United States and particularly during the Alabama Department Reserve Officers Association Convention to be held in Montgomery, Alabama, from April 15 to 17, 1983; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Governor is hereby requested to declare the year of 1982-1983 to be the "60th Anniversary of the Reserve Officers Association" in Alabama.

RESOLVED FURTHER, That it is not the purpose of this resolution to declare a legal holiday but to call on all citizens of the state to join in honoring the men and women of Alabama who are members of this important organization which is dedicated to the development of a strong national security policy for the United States.

BE IT FURTHER RESOLVED, That copies of this resolution shall be sent to Governor George C. Wallace and to Colonel Lawrence H. Kloess, Jr., USAFR, President, Alabama Department, Reserve Officers Association, 3174 Highfield Drive, Montgomery, Alabama 36111.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Mitchell, the Rules were suspended and the Resolution, H.J.R. 35, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Cosby:

H. J. R. 22. HONORING MRS. JOHNNIE K. McKNIGHT OF SELMA, ALABAMA, RECIPIENT OF THE PRESTIGIOUS FLORA W. BOYD AWARD.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Denton, the Rules were suspended and the Resolution, H.J.R. 22, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Turnham:

H. J. R. 34. PETITIONING THE COMMISSIONER OF THE ALABAMA DEPARTMENT OF CORRECTIONS AND THE COMMISSIONER OF THE ALABAMA DEPARTMENT OF REVENUE TO OFFICIALLY DESIGNATE A PORTION OF THE SALARY OF CHAPLAINS IN THE PENAL INSTITUTIONS OF ALABAMA AS A RENTAL ALLOWANCE.

WHEREAS, the Alabama Department of Corrections presently maintains Clergymen as Chaplains on the payroll of that Department for the purpose of ministering to the spiritual needs of inmates and to acquaint them with biblical precepts for living a righteous life; and

WHEREAS, such Chaplains are assigned no other duties nor serve any other purpose for the Alabama Department of Corrections; and

WHEREAS, Section 107 of the Internal Revenue Code of the United States and applicable sections of State law permit a Chaplain to exclude a portion of his salary for housing, utility and furnishings expenses when computing his taxable income; and

WHEREAS, such exclusion of this portion of his salary is permitted only in the case of a Chaplain when the organization which employs him officially designates the payment as a rental allowance; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby petition and call upon the Commissioner of the Alabama Department of Corrections and the Commissioner of the Alabama Department of Revenue to so designate, from this date forward, a portion of the salary of each Chaplain in the employ of the Alabama Department of Corrections as a rental allowance.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the Commissioner of the Alabama Department of Corrections and the Commissioner of the Alabama Department of Revenue for appropriate action.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H.J.R. 34, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

**COMMUNICATION FROM
DEPARTMENT OF ARCHIVES AND HISTORY**

February 10, 1983

The Honorable the Senate
State of Alabama
State Capitol
Montgomery, Alabama 36130

Gentlemen:

On December 2, 1982, the Board of Trustees of the Archives and History Department re-elected Judge C. J. Coley as Trustee for the 3rd Congressional District for the term ending December 31, 1988. On behalf of the Board of Trustees, I request the confirmation of Judge Coley's election.

Sincerely,

EDWIN C. BRIDGES,
Secretary, Board of Trustees.

COMMUNICATION RECEIVED

The foregoing Communication from the Department of Archives and History, relative to an appointment to the Board of Trustees from the 3rd Congressional District, was read and referred to the Standing Committee on Rules.

**COMMUNICATION FROM
DEPARTMENT OF ARCHIVES AND HISTORY**

February 10, 1983

The Honorable the Senate
State of Alabama
State Capitol
Montgomery, Alabama 36130

Gentlemen:

On December 2, 1982, the Board of Trustees of the Archives and History Department re-elected Mr. McDonald Hughes as Trustee for the 7th Congressional District for the term ending December 31, 1988. On behalf of the Board of Trustees, I request the confirmation of Mr. McDonald Hughes' election.

Sincerely,

EDWIN C. BRIDGES,
Secretary, Board of Trustees.

COMMUNICATION RECEIVED

The foregoing Communication from the Department of Archives and History, relative to an appointment to the Board of Trustees from the 7th Congressional District, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Johnson (Roy):

H. J. R. 36. Be it resolved by the Legislature of Alabama, both Houses concurring, that when we adjourn today, we adjourn until Thursday, Feb. 10, 1983.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H.J.R. 36, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 17. RESOLVED BY SENATE, That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the fourth legislative day of the 1983 Second Special Session only:

BILL NO.	PAGE NO.	DESCRIPTION
SB 26	9	Fish Farms, theft of, penalties
SB 12	11	AL Life and Disability Insurance Association Act
SB 13	7	Code of Ala. 1975, adopt & incorporate municipal laws
SB 15	13	Wharf Sites, dues
SB 27	5	Elections, variety of systems, auth.
SB 24	8	Swine, assessment levied
SB 14	11	Industrial Development Bds., bonds
SB 16	14	Industrial Development Bds., projects finance
SB 4	8	Raccoons or opossums
SB 21	9	Retirement Systems, employees and teachers
SB 22	4	Curators

On motion of Senator Smith (J), the Resolution was adopted by the Senate.

REPORTS OF COMMITTEES

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they

were severally read a second time and placed on the calendar, to-wit:

By Senator Keener:

S. 30. To amend Sections 41-22-25 and 41-22-27 of the Code of Alabama 1975, to clarify the effective date and publication date of the Administrative Procedure Act.

By Reps. Brooks, Hall, Freeman, Newman, Lauderdale, Nicholson, Hettinger, Scott, Richardson, Box, Zoghby, McKee, Wilson, Albright, Dutton, Cosby, Williams, Clikas, Butler, Smith, Murphy, Starr, Browder, Coleman, Coburn, Harvey, Gaston, Grimsley, Mathis and Junkins:

H. 6. To amend Section 13A-7-42 of the Code of Alabama 1975, defining the criminal offense of second degree arson, so as to provide further for such offense.

By Reps. Zoghby, Mathis, Williams, Box, and Rains:

H. 14. To provide further for visitation rights of grandparents of minor children in certain cases of divorce or death and repeals Section 30-3-3, Code of Alabama 1975.

By Rep. Langford:

H. 13. To provide further for exemptions from the requirement of continuing legal education; to exempt the governor, lieutenant governor, members of the legislature, secretary of the senate, clerk of the house, and employees of legislative reference service, should they be attorneys, from the requirement of mandatory continuing legal education.

Senator Mitchell, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Rep. Manley (With Amendments):

H. 1. To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census, and to expressly repeal Act No. 81-1049, 1981 Second Special Session and Act No. 82-629, 1982 First Special Session.

Senator Mitchell, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Manley:

H. 3. To adopt and incorporate into the Code of Alabama 1975 all general and permanent classified municipal laws of the State adopted by the legislature during the 1979 and 1980 Sessions and the 1981 Regular Session and all general and permanent laws, including the classified municipal laws, of the State adopted by the legislature during the 1981 First, Second and Third Special sessions, the 1982 Regular Session and the 1982 First Special Session, as contained in the 1982 Cumulative Supplement to the Code of Alabama 1975, and to make certain corrections in such cumulative supplement; to adopt and incorporate into the Code of Alabama 1975 the

Intestate Succession and Wills Act (Act No. 82-399, S. 49, 1982 Regular Session, referred to as the Probate Code) as contained in Chapter 8 of Title 43 of the 1982 Replacement Volume 22 of the Code; and to adopt and incorporate into the Code of Alabama 1975 all general and permanent laws of the State adopted by the legislature during the 1982 Second Special Session as contained in the 1982 Interim Supplement to the Code of Alabama 1975.

By Senator Teague:

S. 33. To create the position of assistant director of the department of aeronautics; to provide for his appointment, duties and salary.

Senator Smith (J), Chairperson of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Owens:

H. 16. To repeal Section 19 of Act No. 82-561, S. 102, Regular Session 1982 (Acts 1982, p. 922), relating to the Alabama Life and Disability Insurance Guaranty Association Act, which section prohibits the use of advertising of the Life and Disability Insurance Guaranty Association for purposes of sales, solicitation, or inducement to purchase any form of insurance covered by said Act.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Starkey and Ashley (With Notice and Proof):

H. 4. Relating to Lauderdale County; amending Act No. 88, S. 181, 1959 Regular Session, (Acts 1959, p. 509), as amended, which provides for the county law library, so as to provide further for the collection of court costs for the maintenance of said library.

By Reps. Adams and Johnson (A.L.) (With Notice and Proof):

H. 15. Relating to Russell County; providing that any person who was employed in the office of judge of probate prior to the election of any probate judge shall be entitled to continued employment in that office notwithstanding that such judge of probate is related by blood or marriage.

Senator Keener, Chairperson of the Standing Committee on Business and Labor Relations, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senators Covington, Foshee, Aldridge, Keener, Bishop, Bedford, and Kirkland:

S. 2. Requiring contractors on certain public projects to use domestically produced steel under pain of contract revocation for violation.

RESOLUTIONS

Senator Barron offered the following Senate Joint Resolution, to-wit:

S. J. R. 18. CONGRATULATING MRS. HENRY GRADY JACOBS OF SCOTTSBORO, ALABAMA, ON THE OCCASION OF HER 90TH

BIRTHDAY.

WHEREAS, the Alabama Legislature notes with pleasure the occasion of Mrs. Henry Grady Jacobs' 90th birthday on February 21, 1983; and

WHEREAS, Mrs. Jacobs, who was born Louise Willson on February 21, 1893, in Scottsboro, is the widow of the late Henry G. Jacobs, a prominent banker of that city; and

WHEREAS, Mrs. Jacobs, who is a lifelong resident of her community, is a member of the First Baptist Church of Scottsboro where she is faithful in attendance, and in service as a Sunday School teacher since 1913; and

WHEREAS, it is to be noted that a party will be held in her honor hosted by her children and grandchildren, and will be a festive occasion and an opportunity to receive the congratulations and best wishes of her family and many, many friends; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we join with the family and friends of Mrs. Henry Grady Jacobs of Scottsboro, Alabama, in extending heartiest congratulations on her 90th birthday and direct that she receive a copy of this resolution in token of our sincere regard and warm best wishes for many more years of good health and happiness.

On motion of Senator Barron, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Barron then offered the following Senate Resolution, to-wit:

S. R. 19. COMMENDING THE GOVERNOR'S YOUTH TRAFFIC SAFETY CLUB OF BRIDGEPORT HIGH SCHOOL, JACKSON COUNTY, ALABAMA.

Which was adopted.

Senator Smith (J) offered the following Senate Joint Resolution, to-wit:

S. J. R. 20. COMMENDING JUDGE MYRTLE GREEN OF HUNTSVILLE, ALABAMA.

WHEREAS, Miss Myrtle Green, a native of Deposit and a lifelong resident of Madison County, Alabama, is a graduate of Riverton High School and of Howell Business College in Florence, Alabama; and

WHEREAS, Miss Green has been continuously employed in the Office of the Judge of Probate of Madison County, Alabama, for more than four decades, first as a clerk typist and later as Chief Clerk of the Probate Court, a position she held for 27 years and until her election to the Office of Probate Judge in 1979, winning without a run-off against three male opponents; and

WHEREAS, Judge Green is the first woman to have held the position of Chief Clerk and is the first woman, as well, to have been elected Judge of Probate in Madison County; and

WHEREAS, she is a member of the Huntsville Business and Professional Women's Club, Soroptimist Club of Huntsville, Huntsville-Madison County Chamber of Commerce, Madison County Democratic Women's Division, Probate Judges Association of Alabama, American Society for Public Administration, Madison County Mental Health Association and the Advisory Board of the Salvation Army; and

WHEREAS, Judge Green has been the recipient of a number of awards and honors including the Working Woman of the Year Award in 1970, Good Government Award in 1971 and the Liberty Bell Award; she also was a nominee in 1973 and 1982, for the Huntsville Jaycees Good Government Award; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend Judge Myrtle Green of Huntsville, Alabama, for her lifetime of dedicated service in governmental affairs and direct that she receive a copy of this resolution in declaration of our warm praise and regard.

On motion of Senator Smith (J), the Rules were suspended and the Resolution was adopted by the Senate.

Senator Holmes offered the following Senate Joint Resolution, to-wit:

S. J. R. 21. MOURNING THE DEATH OF MR. BOYD VAUGHAN OF THE SAKS COMMUNITY OF CALHOUN COUNTY, ALABAMA.

WHEREAS, the Alabama Legislature grievously notes the death of Mr. Boyd Vaughan of the Saks Community of Calhoun County, Alabama, on February 6, 1983, at the age of 70 years; and

WHEREAS, Mr. Vaughan, a member of a pioneer family of the area, was a resident of Saks some 63 years during which time he formed strong bonds and ties with the community he was to serve with dedicated devotion till his death; and

WHEREAS, Mr. Vaughan, who of necessity was schooled in Alexandria, was later to play an instrumental role in the establishment of a high school in Saks and to personally help finance the construction of a football stadium for Saks High School; and

WHEREAS, in further service to youth, Mr. Vaughan was chairman of the board of the Northside Boys Club, which he supported from its founding, playing a vital role in the dedication of the club's football field; he also was a former member of the Calhoun County Board of Education, and was actively involved with the Boy Scouts programs in his area; and

WHEREAS, Mr. Vaughan further was president and district governor of the Saks Civitan Club, choir director of the First Baptist Church of Saks, a member of the county Home Builders and Cattlemen's Associations, and was a longtime employee of Lee Brothers as chief engineer; and

WHEREAS, the death of Mr. Boyd Vaughan has indeed left a deep void in the lives and hearts of all those privileged to know and to love him as a true "first citizen" of the community he served for a longtime; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we are deeply saddened by the death of Mr. Boyd Vaughan of Saks, Alabama, and extend our most heartfelt sympathy to his devoted wife of 47 years, Mrs. Elane Green Vaughan, and to their daughters, Mrs. Linda Lineberry and Mrs. Becky Bresler; their sons, Roger C. and Phillip G. Vaughan; and other family members to whom a copy of this resolution shall be sent, in expression of our deeply shared sorrow in their great and grievous loss.

On motion of Senator Holmes, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Cooley, Mitchem, Denton, Barron, Smith (J), Aldridge, and Bedford offered the following Senate Joint Resolution, to-wit:

S. J. R. 22. REQUESTING THE TENNESSEE VALLEY AUTHORITY TO PROPERLY RECLASSIFY THE ELECTRICITY RATES OF THE AGRICULTURAL COMMUNITY.

WHEREAS, the Tennessee Valley Authority has announced plans to require electric co-ops and municipalities purchasing TVA electrical power to classify agricultural operations as commercial; and

WHEREAS, agriculture has been in a serious market depression for several years with no foreseeable relief; and

WHEREAS, farmers rarely produce "finished" agricultural products ready for the consumer marketplace; and

WHEREAS, such reclassification will cost farmers an increase of approximately 29 percent in electrical rates; and

WHEREAS, agricultural operations consume the most power in the summertime when other power demand is low and at the very time of the year when TVA needs to increase consumption; and

WHEREAS, reclassifying agricultural operations to commercial will deal a serious economic blow to the citizens and the economy of this state; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the State of Alabama urgently requests that the Tennessee Valley Authority be caused to amend the new rate structure so as not to impose commercial rates on farmers and other agricultural producers.

BE IT FURTHER RESOLVED, That if the new rate structure is not changed to remove agricultural producers from the commercial classification, many that are now facing potential bankruptcy due to the actions of TVA, will go bankrupt.

RESOLVED FURTHER, That copies of this resolution be sent to the Directors of the Tennessee Valley Authority, Messers. Charles Dean, Richard Freeman and David Freeman.

On motion of Senator Cooley, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Cooley offered the following Senate Resolutions, to-wit:

S. R. 23. COMMENDING MR. BUELL COBB OF CULLMAN, ALABAMA, UPON HIS RETIREMENT FROM THE UNITED STATES POSTAL SERVICE.

Also:

S. R. 24. COMMENDING MR. D. M. EDDLEMAN, PROMINENT CULLMAN COUNTY AGRIBUSINESS EDUCATOR.

Which were adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Reso-

lution and sends same herewith to the Senate for its consideration:

By Reps. Penry, Harper, Turner, McMillan, Adams, Albright, Ashley, Bennett, Biddle, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Brooks, Browder, Bryant, Buskey, Butler, Campbell, Carothers, Carter, Casey, Clark, Clikas, Coburn, Coleman, Cosby, Crow, Davis, Drake, Drinkard, Dutton, Escott, Faulk, Flowers, Ford, Freeman, Gaston, Goodwin, Grimsley, Grouby, Hall, Hammett, Harvey, Hettinger, Holmes, Horn, Howard, Johnson (A.L.), Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Langford, Lauderdale, Layton, Lewis, McKee, Manley, Martin, Mathis, Melton, Minus, Mitchell, Moore, Murphy, Nevett, Newman, Nicholson, Owens, Parker, Payne, Poole, Preuit, Rains, Reed, Rice, Richardson, Rogers, Sasser, Scott, Seibels, Smith, Starkey, Starr, Stout, Thomas, Thornton, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, White (F), White (L), Williams, Wilson, Wright and Zoghby:

H. J. R. 25. URGING PRIORITY HIRING OF ALABAMIANS FOR JOB AVAILABILITIES WITHIN THE GAS AND OIL INDUSTRY AND RELATED FIELDS.

WHEREAS, discoveries of large deposits of gas and oil have been made throughout the State of Alabama, and most particularly in Washington, Mobile, Baldwin, Clarke and Escambia Counties where gas finds have been made in substantial amounts; and

WHEREAS, in the last few months discoveries have been made of both oil and gas wells in Mobile Bay and Baldwin County and in the Bay near Dauphin Island and thus, a new field has opened up with drilling in the waters of the State predicted to greatly increase with future oil and gas rigs to be erected in Mobile and Baldwin Counties; and

WHEREAS, the companies involved with exploration and the drilling of wells need, and will increasingly need, helicopter personnel, deep sea divers, pipe fitters, pipe welders, drillers, and suppliers of every nature including food, clothing and ship-to-shore boats, as well, and other tradesmen and even unskilled labor; and

WHEREAS, Baldwin, Mobile and Escambia Counties, and other areas within the State of Alabama have residents with the expertise, ability and knowhow, and with the necessary tools and supplies, to work and perform in every aspect of the gas and oil industry; and

WHEREAS, in light of the exceedingly high unemployment rate in Alabama, one of the highest in the nation, it is obligatory that the gas and oil companies and those in related fields first tap the vast source of available manpower, products, services and goods in Alabama for all job openings and materials necessary in the exploration and operation of oil and gas wells in the waters and State of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the qualified citizens of Alabama, and particularly in the Southeast and Southwest portions of our State, be given priority in obtaining jobs and positions throughout all phases of the oil and gas and related industries, and that goods, materials and further services relative to the needs of the companies involved be obtained through Alabama sources of supply.

BE IT FURTHER RESOLVED, That the Clerk of the House is hereby directed to deliver to all companies herein indicated copies of this resolu-

tion that said company officials may comply with the wishes of the Senate and House of the Legislature of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H.J.R. 25, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

UNFINISHED BUSINESS BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 1. To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census.

and pending substitute, which said substitute is set out in the Journal of the Senate for the Third Legislative Day.

On motion of Senator Smith (J), further consideration of the Bill, S.B. 1, and pending substitute, was postponed until the Fifth Legislative Day as Unfinished Business.

SPECIAL ORDER

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

S. 26. To provide for the criminal offense of theft of fish from fish farms and provides for penalties for violation.

The Standing Committee on Agriculture, Conservation, and Forestry reported the following amendment to the Bill, S.B. 26, to-wit:

COMMITTEE AMENDMENT TO S. B. 26

Amend Senate Bill 26 Page 1, Line 32, by striking out after the word "thereof" the words

"deposited in the county general fund"

and insert in lieu thereof the following:

"shall be distributed equally to each law enforcement agency on the basis of their participation in the arrest as determined by the Judge presiding over the trial of the case."

Which was adopted.

Yeas 19; Nays 1.

Yeas:

Senators:	Cooley	Foshee	Little	
Bachus	Corbett	Goodwin	Mitchell	
Bailey	Covington	Harrison	Robertson	
Barron	deGraffenried	Holmes	Smith (J)	
Cabaniss	Denton	Kirkland	Teague	—19

Nay: Senator Boyington

—1

And said Bill, S.B. 26, as thus amended, was read a third time at length

and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Senators:	Boyington	Denton	Little	
Aldridge	Cabaniss	Foshee	Mitchell	
Bachus	Cooley	Goodwin	Mitchem	
Bailey	Corbett	Harrison	Robertson	
Barron	Covington	Holmes	Smith (J)	
Bedsole	deGraffenried	Kirkland	Teague	—23
Nays:				—0

INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator Teague:

S. 35. To provide further for the membership of the continuing legislative committee, known as the legislative council of the State of Alabama, so as to include the chairman of the rules committee in each the house and senate.

Committee on Buildings and Grounds.

By Senators Goodwin, Kirkland, Foshee, Boyington, Barron, Robertson, Covington, Dixon, Holmes, Harrison, Mitchell, Bachus, Denton, Cooley, Smith (J), Keener, Bedford, Corbett, Bedsole, Cabaniss, Figures, Hilliard, and Bailey:

S. 36. To create and establish the Department of Economic and Community Affairs; to provide that: The Office of State Planning and Federal Programs, as created and provided for by Sections 41-9-205 through 41-9-214, Code of Alabama 1975; the Alabama Department of Energy, as created and provided for by Sections 41-6A-1 through 41-6A-11, Code of Alabama 1975; the Alabama Law Enforcement Planning Agency as created and provided for by Sections 41-8A-1 through 41-8A-13, Code of Alabama 1975; the State Manpower Planning Council and CETA Manpower services, as created and provided for by federal laws and Executive Order No. 16, 1971; and the Office of Employment and Training, as created and provided for by federal laws and Executive Order No. 34, 1980, are merged into and shall be transferred to said Department of Economic and Community Affairs; to provide that all functions, duties, responsibilities, authority, assets, liabilities, contractual rights and obligations, property rights, appropriations, employees, property and supplies are vested in and transferred to the new agency; to continue the employment and rights and benefits of certain classified employees, whose job classifications are not abolished hereby, to provide for the appointment, term, compensation, duties and authority of the director of the Department of Economic and Community Affairs; to abolish the state supervisory board of the Alabama law enforcement planning agency, and specifically repealing Sections 41-8A-5, 41-8A-6, 41-8A-7, and 41-8A-11, Code of Alabama 1975, relating to such board, and to transfer all such functions, duties, and powers to the new agency; to specifically continue the provisions of law relating to any councils and boards and advisory boards of: Title 41, Chapter 6A, Code of Alabama 1975, relating to the Alabama Energy Management Act of 1980; Title 41, Chapter 9, Article 8A, Code of Alabama 1975, relating to the Office of State Planning and Federal

Programs; the State Manpower Planning Council (CETA); and the Office of Employment and Training; to provide that each of the merged agencies within the said new agency shall be divided into divisions; to provide for divisions and division chiefs and their appointment; and to provide for the change of the name of the State Manpower Planning Council (CETA) to the Office of Employment and Training and to transfer the functions of such council.

Committee on Governmental Affairs.

BILLS ON THIRD READING RESUMED

The Bill:

S. 12. To repeal Section 19 of Act No. 82-561, S. 102, Regular Session 1982 (Acts 1982, p. 922), relating to the Alabama Life and Disability Insurance Guaranty Association Act, which section prohibits the use of advertising of the Life and Disability Insurance Guaranty Association for purposes of sales, solicitation, or inducement to purchase any form of insurance covered by said act.

was taken up.

Senator Cabaniss offered the following substitute for the Bill, S.B. 12, to-wit:

Substitute for S. B. 12

A BILL TO BE ENTITLED AN ACT

To amend Section 27-44-19, Code of Alabama, 1975 (Acts 1982, No. 82-561, Section 19) relating to the Alabama Life and Disability Insurance Guaranty Association Act, to prohibit the use of advertising of the Life and Disability Insurance Guaranty Association for purposes of sales, solicitation or inducement to purchase any form of insurance covered by said act and provides exceptions to permit such advertisement, announcement or statement as is approved by the Commissioner of Insurance and to prohibit the use in any policy of insurance or mention in any way in such policy of the Life and Disability Insurance Guaranty Association.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 27-44-19, Code of Alabama, 1975 (Acts 1982, No. 82-561, Section 19) is hereby amended to read as follows:

“Section 27-44-19. Prohibited Advertisement of Chapter in Insurance Sales. No Person, including an insurer, agent or affiliate of an insurer shall make, publish, disseminate, circulate, or be made, published, disseminated, circulated or placed before the public, in any newspaper, magazine or other publication, or in the form of a notice, circular, pamphlet, letter or poster, or over any radio station or television station, or in any other way, any advertisement, announcement, or statement which uses the existence of the life and disability insurance guaranty association of this state for the purpose of sales, solicitation, or inducement to purchase any form of insurance covered by this chapter other than such advertisement or announcement as has been submitted to and expressly approved by the Commissioner. No policy of insurance shall be issued in this state by an insurer which mentions in any way the Association. Provided, however, that this section shall not apply to the Alabama life and disability insurance guaranty association

or any other entity which does not sell or solicit insurance.”

Section 2. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 16. RELATIVE TO THE ADJOURNMENT OF THE TWO HOUSES.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF S. B. 12

The Senate proceeded to further consideration of the Bill, S.B. 12. The question was on the substitute offered by Senator Cabaniss.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Johnson (Roy):

H. J. R. 37. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when we adjourn today, Thursday, February 10, 1983, that we adjourn to meet again on Wednesday, February 16, 1983.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H.J.R. 37, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

FURTHER CONSIDERATION OF S. B. 12

The Senate proceeded to further consideration of the Bill, S.B. 12. The question was on the substitute offered by Senator Cabaniss.

On motion of Senator Smith (J), said substitute was laid on the table.

And said Bill, S.B. 12, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 3.

Yeas:

Senators:	Bedford	Denton	Harrison
Bailey	Corbett	Figures	Hilliard
Barron	deGraffenried	Foshee	Holmes

Keener Kirkland	Little Mitchell	Mitchem Robertson	Smith (J) Teague	—19
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Nays:

Senators:	Bachus	Boyington	Cabaniss	—3
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RESOLUTIONS

Senators Little, Aldridge, Amari, Bachus, Bailey, Barron, Bedford, Bedsole, Bishop, Boyington, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dixon, Figures, Foshee, Goodwin, Harrison, Hilliard, Holmes, Keener, Kirkland, Menton, Mitchell, Mitchem, Parsons, Proctor, Robertson, Smith (B), Smith (J), and Teague offered the following Senate Joint Resolution, to-wit:

S. J. R. 25. MOURNING THE DEATH OF DOCTOR JULIET NUNN PEARSON.

WHEREAS, the Legislature of Alabama grievously notes the death of Doctor Juliet Nunn Pearson of Birmingham, Alabama, on February 5, 1983; and

WHEREAS, Doctor Pearson, who was the beloved wife of our friend and colleague, Senator J. Richmond Pearson, also is survived by their two daughters, Janine Richet and Julene Ranicea; and

WHEREAS, Doctor Pearson, at the time of her death and since 1980, was associated with the University of Alabama-Birmingham as Project Director of the Biomedical Sciences Program, University of Alabama-Birmingham Special Studies, School of Community and Allied Health; she also served as affirmative action officer for the University Special Studies, and as Coordinator of the Black Studies Series for Special Studies; and

WHEREAS, the Biomedical Sciences Program was designed to support a unique project to deal with the national problems of underutilization of potentially talented, disadvantaged youths in the scientific and medical community of the country; UAB's project, so astutely directed by Dr. Pearson, provides support for 100 Birmingham students, their parents, guidance counselors and teachers in introducing and motivating interest in and preparation for careers in biomedical sciences; and

WHEREAS, eminently qualified for the leadership she provided at UAB, Doctor Pearson was a graduate of Miles College, Michigan University and the University of Alabama where she respectively earned B.A., M.A. and Ed.D. Degrees; she was a Birmingham native and a former public school educator for some 25 years with the Jefferson County Board of Education; and

WHEREAS, Doctor Pearson's numerous professional and community involvements extended to include the Alabama, National and Jefferson County Education Associations, the American Teachers Association, South Titusville Civil League, South Titusville Citizens Participation Committee, and the Thirgood C.M.E. Church which she faithfully served in such capacities as member of the Steward Board, Chairperson of the Scholarship Fund, Member of the Board of Christian Education and as Instructor of Prayer Ministry; and

WHEREAS, she additionally served her community as a member of the Positive Maturity Board of Directors, on the South Elyton Civic League Board and in involvement with the Birmingham Children's Theatre; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we are deeply saddened by the death of Doctor Juliet Nunn Pearson, sharing our grief with the Birmingham Community, and with her family, so dear to her heart, and for whom copies of this resolution shall be provided.

On motion of Senator Little, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Little, Aldridge, Amari, Bachus, Bailey, Barron, Bedford, Bedsole, Bishop, Boyington, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dixon, Figures, Foshee, Goodwin, Harrison, Hilliard, Holmes, Keener, Kirkland, Menton, Mitchell, Mitchem, Parsons, Pearson, Proctor, Robertson, Smith (B), Smith (J), and Teague offered the following Senate Resolution, to-wit:

S. R. 26. COMMENDING THE FACULTY AND STAFF OF THE ALABAMA AGRICULTURAL EXPERIMENT STATION AND THE BOARD OF TRUSTEES OF AUBURN UNIVERSITY.

Which was adopted.

BILLS ON THIRD READING RESUMED

The Bill:

S. 13. To adopt and incorporate into the Code of Alabama 1975 all general and permanent classified municipal laws of the State adopted by the legislature during the 1979 and 1980 Sessions and the 1981 Regular Session and all general and permanent laws, including the classified municipal laws, of the State adopted by the legislature during the 1981 First, Second and Third Special Sessions, the 1982 Regular Session and the 1982 First Special Session, as contained in the 1982 Cumulative Supplement to the Code of Alabama 1975, and to make certain corrections in such cumulative supplement; to adopt and incorporate into the Code of Alabama 1975 the Intestate Succession and Wills Act (Act No. 82-399, S. 49, 1982 Regular Session, referred to as the Probate Code) as contained in Chapter 8 of Title 43 of the 1982 Replacement Volume 22 of the Code; and to adopt and incorporate into the Code of Alabama 1975 all general and permanent laws of the State adopted by the legislature during the 1982 Second Special Session as contained in the 1982 Interim Supplement to the Code of Alabama 1975.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Senators:	Cooley	Hilliard	Menton
Bachus	Corbett	Holmes	Mitchell
Bailey	Covington	Keener	Mitchem
Barron	deGraffenried	Kirkland	Robertson
Bedsole	Denton	Little	Teague
Cabaniss	Figures		

—21

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Horn, Rogers and Davis (With Notice and Proof):

H. 19. To authorize Class I cities to establish Enterprise Zones in areas of pervasive poverty, unemployment and economic distress and to carry out programs to encourage private investment and to create jobs in such areas, and to authorize agencies of such cities, the county governing body and state and county agencies to carry out similar programs in such Enterprise Zones, including, but not limited to, reduction of tax rates, license rates and fees, improvement of public services and reduction and modification of regulatory requirements within such zones, and to provide other services and to modify other requirements as may be necessary or desirable to qualify for financial assistance to such Class I cities or private entities within such zones under any act of the Congress of the United States heretofore or hereafter enacted.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 19. To the Committee on Local Legislation No. 2.

BILLS ON THIRD READING RESUMED

The Bill:

S. 15. To amend Section 11-47-15 of the Code of Alabama 1975 to extend to twenty-five miles, the distance within which any city or town may construct and maintain wharves and wharf sites and collect wharfage dues and other charges thereon and otherwise operate such facilities as authorized by said Section.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Senators:	Cabaniss	Hilliard	Mitchell
Bachus	Cooley	Holmes	Mitchem
Bailey	Corbett	Keener	Robertson
Barron	Covington	Kirkland	Smith (J)
Bedsole	Denton	Little	Teague
Boyington	Foshee	Menton	

—22

Nays:

—0

The Bill:

S. 27. Relating to elections; authorizing the use of a greater variety of vote tabulating equipment including electronic vote counting systems; providing for a clearinghouse for information on voting equipment and for the

testing and certification of such equipment; creating the Alabama Electronic Voting Committee, its membership, meetings and authority; prescribing certain duties for the Secretary of State; and providing definitions and procedures for implementation of the provisions of the Act.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

Yeas:

Senators:	Bedsole	Figures	Little	
Aldridge	Cabaniss	Goodwin	Mitchell	
Amari	Corbett	Harrison	Mitchem	
Bailey	Covington	Holmes	Smith (J)	
Barron	Denton	Kirkland	Teague	—19

Nays: —0

The Bill:

S. 24. Relating to the promotion of the production, research, distribution, marketing, use, improvement and sale of swine and swine products; to amend Section 2-8-49 of the Code of Alabama 1975, to provide that the assessment levied upon the sale of swine shall not exceed \$.10 on market hogs and \$.05 on feeder pigs; to repeal Section 2-8-53, Code of Alabama 1975, so as to eliminate the exemption from the payment of such assessment at the point of sale.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 13; Nays 2.

Yeas:

Senators:	Corbett	Holmes	Robertson	
Aldridge	Covington	Kirkland	Smith (J)	
Cabaniss	Denton	Mitchell	Teague	
Cooley	Goodwin			—13

Nays: Senators Little, Mitchem —2

(And the President Pro Tempore of the Senate declared a quorum present but not voting.)

The Bill:

S. 14. To amend the Title and Section 1 of Act No. 79-722 adopted at the 1979 Regular Session of the Legislature of Alabama approved August 8, 1979, as amended by Act No. 80-315 adopted at the 1980 Regular Session of the Legislature of Alabama approved May 6, 1980, and by Act No. 82-440 enacted at the 1982 Regular Session of the Legislature of Alabama and codified in Article 5 of Title 11, Code of Alabama 1975: authorizing Class 4, 5, 6, 7, 8 municipalities in this state to acquire properties suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such properties subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds

by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof, so as to make said Act as amended applicable to Class 1, 2 or 3 municipalities in the state and to industrial development boards created under Division 1 of Article 4 of Chapter 54, Title II, Code of Alabama 1975, as amended, to include projects providing hotel, motor inn, and similar daily or monthly lodging services, amending title to encompass amendment made in said Act No. 82-440 and ratifying and confirming said Acts 80-315 and 82-440, permitting municipalities, under certain conditions, to lease or sell municipal properties for such projects, as heretofore provided, and to except contracts incident to such projects from competitive bidding.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 13; Nays 2.

Yeas:

Senators:	deGraffenried	Kirkland	Mitchem	
Aldridge	Goodwin	Menton	Smith (J)	
Bachus	Hilliard	Mitchell	Teague	
Cabaniss	Holmes			—13

Nays: Senators Corbett, Little —2

(And the President Pro Tempore of the Senate declared a quorum present but not voting.)

The Bill:

S. 16. To amend Section 11-54-80, as heretofore amended, to include as permissible projects hotels, motor inns and similar short-term lodging facilities.

was taken up.

On motion of Senator Hilliard, further consideration of the Bill, S.B. 16, was postponed temporarily.

The Bill:

S. 4. To amend Section 9-11-235.1 of the Code of Alabama 1975, so as to provide further for taking or hunting raccoons or opossums at night.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

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Yeas 14; Nays 1.

Yeas:

Senators:	Covington	Holmes	Mitchem	
Bachus	deGraffenried	Kirkland	Smith (J)	
Bedford	Denton	Little	Teague	
Cabaniss	Goodwin	Mitchell		—14

Nay: Senator Robertson —1

(And the President Pro Tempore of the Senate declared a quorum present but not voting.)

REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 25. URGING PRIORITY HIRING OF ALABAMIANS FOR JOB AVAILABILITIES WITHIN THE GAS AND OIL INDUSTRY AND RELATED FIELDS.

Senator Figures offered the following substitute for the Resolution, H.J.R. 25, to-wit:

SUBSTITUTE FOR H. J. R. 25

WHEREAS, although large deposits of gas and oil have been made throughout the State of Alabama, and

WHEREAS, regardless, the unemployment rate of the State remains second highest in the nation; and

WHEREAS, numerous jobs, services, and products are used by the Oil and Gas Industry operating presently, and a new field of services is now opening up with drilling in the waters of the State; and

WHEREAS, with the Oil and Gas Industry requiring various trades, services, and products now available in the State, we are aware that many Alabamians with oil field related skills are now employed out of state and country, and, that the special type of oil field equipment, products, and services required by the oil industry can be made available to them by Alabamians who wish to do business with the Alabama oil industry. Therefore, we charge you to recruit, obtain, and be able to offer to the oil industry of Alabama these special needs; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the citizens of the State of Alabama wishing to offer the sale of their services and products to the oil and gas industry operating in the State of Alabama and its adjacent waters to strive further to fulfill the needs of the oil and gas industry of Alabama with Alabamian offered services, products, skills, etc.

Since upon the forming of the Oil and Gas Industry Services Association, Inc., on January 12, 1983, liaison between the members of the association and the oil and gas industry has greatly improved and with the publication of the OIL AND GAS INDUSTRY DIRECTORY, listing the names of people and companies of Alabama, wishing to supply the oil and gas industry with their particular type of service, skills, and products, we wish to assist and promote any other such efforts to make available to the oil and

gas industry their needs through Alabama companies or groups.

BE IT FURTHER RESOLVED, That the Clerk of the House be and hereby is instructed to deliver to all gas, oil, drilling and other companies a copy of this resolution so that they may comply with the wishes of the Senate and House of the State Legislature.

Which was adopted.

And on motion of Senator Figures, the Resolution, H.J.R. 25, as thus amended by the substitute, was then concurred in and adopted by the Senate.

FURTHER CONSIDERATION OF S.B. 16

The Senate proceeded to further consideration of the Bill, S.B. 16.

Senator Cabaniss offered the following amendment to the Bill, S.B. 16, to-wit:

AMENDMENT TO S. B. 16

Amend Senate Bill No. 16 Page 3, by inserting a new section 4. The new section 4 should read as follows:

This amendment does not pertain to restaurants or food service operations which are not a part of hotels or motor inns mentioned above.

Which was adopted.

Yeas 20; Nays 0.

Yeas:

Senators:	Cooley	Figures	Kirkland	
Bachus	Covington	Foshee	Little	
Bailey	deGraffenried	Goodwin	Mitchell	
Bedsole	Denton	Hilliard	Smith (J)	
Boyington	Dixon	Holmes	Teague	
Cabaniss				—20

Nays: —0

And said Bill, S.B. 16, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 17; Nays 2.

Yeas:

Senators:	Cooley	Foshee	Mitchell	
Aldridge	Covington	Goodwin	Mitchem	
Bachus	deGraffenried	Hilliard	Smith (J)	
Bailey	Denton	Holmes	Teague	
Cabaniss	Figures			—17

Nays: Senators Boyington, Little —2

BILLS ON THIRD READING RESUMED

The Bill:

S. 21. To amend § 16-25-14(i), Code of Alabama 1975 relating to the Teachers' Retirement System of Alabama and § 16-27-16(e), Code of Alabama 1975, relating to the Employees' Retirement System of Alabama, so as to change from five years to two years the time required for certain mem-

bers who have been restored to active service, to continue in service before again becoming a member of either System.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.
Abstaining 1.

Yeas:

Senators:	Cabaniss	Denton	Kirkland	
Aldridge	Cooley	Figures	Mitchell	
Bailey	Corbett	Foshee	Mitchem	
Bedsole	Covington	Goodwin	Smith (J)	
Boyington	deGraffenried	Holmes	Teague	—19

Nays: —0

Abstaining: Senator Little —1

The Bill:

S. 22. To amend Section 26-7A-1 of the Code of Alabama 1975, as amended, which provides for curators being appointed in the probate court so as to clarify that curators may be appointed in any probate court in the State of Alabama and to ratify previous curator appointments by any probate judge which otherwise would qualify under Chapter 7A of Title 26 of the Code of Alabama and in existence on the date of this Act.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

Yeas:

Senators:	Cooley	Figures	Little	
Bailey	Corbett	Foshee	Mitchell	
Bedsole	Covington	Goodwin	Mitchem	
Boyington	deGraffenried	Holmes	Smith (J)	
Cabaniss	Denton	Kirkland	Teague	—19

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Preuitt and Casey:

H. J. R. 41. CONGRATULATING MUNFORD HIGH SCHOOL LIONS.

Also:

By Rep. Richardson:

H. J. R. 42. CONGRATULATING MRS. HENRY GRADY JACOBS

OF SCOTTSBORO, ALABAMA, ON THE OCCASION OF HER 90TH BIRTHDAY.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Denton, the Rules were suspended and the Resolutions, H.J.R.'s 41 and 42, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

RESOLUTIONS

Senator Bedford offered the following Senate Joint Resolution, to-wit:

S. J. R. 27. MOURNING THE DEATH OF MR. WILLIAM DEXTER MAY OF WINFIELD, ALABAMA.

WHEREAS, it is with deep regret that the Alabama Legislature notes the death of Mr. William Dexter May of Winfield, Alabama, on November 28, 1982, at the age of 58 years; and

WHEREAS, Mr. May, a native and lifelong resident of Marion County, was a graduate of Winfield High School, a veteran of World War II and a former employee of the Fairfield Tin Mill for some 26 years; and

WHEREAS, Mr. May also was a prominent restaurateur who, with his family, owned and operated the Winfield Family Inn and Restaurant for a number of years; and

WHEREAS, he was a member of the Winfield Church of Christ, a member of Winfield Lions Club and, at the time of his death, was serving by appointment of the Winfield City Council as a member of the city's Water Board; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Mr. William Dexter May of Winfield, Alabama, and extend our most heartfelt sympathy to his family and many friends who are so deeply saddened by their loss.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mr. May's parents, Mr. and Mrs. Marshall May, that they and other family members may know of our sympathy and concern for them all in their time of such great grief.

On motion of Senator Bedford, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Kirkland and Little offered the following Senate Joint Resolution, to-wit:

S. J. R. 28. COMMENDING AUBURN UNIVERSITY'S DOWE AUGHTMAN, ASSOCIATED PRESS ALL-SOUTHEASTERN CONFERENCE DESIGNEE.

WHEREAS, nose guard Dowe Aughtman of the Auburn University Tigers has been named to the Associated Press All-Southeastern Conference Team for 1982; and

WHEREAS, a resident of Brewton, Alabama, and the son of Mr. & Mrs. L. D. Aughtman, Dowe Aughtman is a 1979 graduate of T. R. Miller High School where he was a member of the Varsity Tiger football team; and

WHEREAS, his 1982 statistics showed an impressive 75 tackles, nine of which resulted in a total of 37 lost yards, and he is credited with causing 2 fumbles, with recovering 2 fumbles and with breaking-up two pass plays; in the Tennessee, Georgia and Mississippi State games, he made 10, 9 and 11 tackles respectively; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Auburn University's Dowe Aughtman; we heartily congratulate him as AP ALL-SEC and direct that he receive a copy of this resolution, tendered in warm praise and utmost regard.

On motion of Senator Kirkland, the Rules were suspended and the Resolution was adopted by the Senate.

ADJOURNMENT

At 12:15 P.M., on motion of Senator Denton, in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Wednesday, February 16, 1983, at 11 o'clock A.M.

**FIFTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 16, 1983**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

PRAYER

The Session was opened with prayer by the Reverend J. S. Lock, Minister, Dalraida United Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Boyington	Foshee	Mitchell	
Aldridge	Cabaniss	Goodwin	Mitchem	
Amari	Cooley	Harrison	Parsons	
Bachus	Corbett	Hilliard	Pearson	
Bailey	Covington	Holmes	Proctor	
Barron	deGraffenried	Keener	Robertson	
Bedford	Denton	Kirkland	Smith (B)	
Bedsole	Dixon	Little	Smith (J)	
Bishop	Figures	Menton	Teague	—35

JOURNAL

On motion of Senator Teague, the reading of the Journal of yesterday was dispensed with.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fourth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,
Chairperson.

COMMITTEE REPORT

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Fourth Legislative Day was approved by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 22. HONORING MRS. JOHNNIE K. McKNIGHT OF SELMA, ALABAMA, RECIPIENT OF THE PRESTIGIOUS FLORA W. BOYD AWARD.

Also:

H. J. R. 27. COMMEMORATING THE FOUNDING, IN 1853, OF

THE SAINT LOUIS STREET BAPTIST CHURCH, MOBILE, ALABAMA.

Also:

H. J. R. 28. COMMENDING MR. HARRY STILL, BAY MINETTE CITIZEN OF THE YEAR.

Also:

H. J. R. 29. HONORING MS. TOREATHER MENCER.

Also:

H. J. R. 30. COMMENDING THE JOHN FISHER FAMILY OF BIRMINGHAM, ALABAMA, FOR OUTSTANDING SERVICE ON BEHALF OF HOLY FAMILY HIGH SCHOOL.

Also:

H. J. R. 31. COMMENDING THE WEST END HIGH SCHOOL LIONS, BIRMINGHAM CITY BASKETBALL CHAMPIONS.

Also:

H. J. R. 32. COMMENDING THE NATIONALLY RANKED UNIVERSITY OF MONTEVALLO LADY FALCONS VOLLEYBALL TEAM.

Also:

H. J. R. 33. COMMENDING THE FACULTY AND STAFF OF THE ALABAMA AGRICULTURAL EXPERIMENT STATION AND THE BOARD OF TRUSTEES OF AUBURN UNIVERSITY.

Also:

H. J. R. 35. DESIGNATING 1982-1983 AS THE 60TH ANNIVERSARY YEAR OF RESERVE OFFICERS ASSOCIATION OF THE UNITED STATES IN ALABAMA.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 1. ENDORSING THE PROCLAMATION OF FEBRUARY 1983 AS MEDICAL EYE MONTH.

Also:

S. J. R. 2. COMMENDING THE B. F. GOODRICH TUSCALOOSA PLANT.

Also:

S. J. R. 15. MOURNING THE DEATH OF MR. BUFORD BOONE, DISTINGUISHED JOURNALIST AND TUSCALOOSA CIVIC LEADER.

CHARLES BISHOP,
Chairperson.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 3. CREATING THE JOINT INTERIM OIL AND GAS STUDY COMMITTEE.

CHARLES BISHOP,
Chairperson.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution, the title of which is set out in the foregoing report from the Committee on Rules.

MOTION TO ADJOURN

Senator Keener moved that when the Senate adjourns today, it adjourn to meet again on Thursday, February 17, 1983, at 11:00 A.M., which motion was adopted.

INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator Foshee:

S. 37. To change the name of the Civil Defense Department to the State of Alabama Emergency Management Agency.

Committee on Governmental Affairs.

By Senator Proctor:

S. 38. To amend Section 11-47-16, Code of Alabama 1975, relating to the power of cities and towns to acquire sites for, construct and operate public cultural facilities, so as to include counties and to further qualify the necessity for such acquisition and construction.

Committee on Governmental Affairs.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Rogers:

H. J. R. 50. MOURNING THE DEATH OF DOCTOR JULIET NUNN PEARSON.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Hilliard, the Rules were suspended and the Resolution, H. J. R. 50, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Hammett:

H. J. R. 47. COMMENDING MR. JIM SULLIVAN OF ANDALUSIA ON HIS APPOINTMENT TO THE PRESIDENCY OF THE ALABAMA PUBLIC SERVICE COMMISSION.

Also:

By Rep. Hammett:

H. J. R. 48. COMMENDING MR. BILL McCLAIN OF ANDALUSIA, COVINGTON COUNTY ENGINEER.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Foshee, the Rules were suspended and the Resolutions H.J.R.'s 47 and 48, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

REPORTS OF COMMITTEES

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Smith (J):

S. 32. To provide for the supplemental appropriation and allocation to the Board of Heating and Air Conditioning Contractors for the 1982-1983 state fiscal year ending September 30, 1983, of an amount up to \$81,293.00, from the Board of Certification of Heating and Air Conditioning Contractors Fund in the state treasury for the purpose of salaries and other expenses; to provide for retroactive effect; and to provide that monies remaining in said fund on September 30, 1983, shall be carried over into the following state fiscal year, rather than reverting to the state general fund.

RESOLUTIONS

Senator Covington offered the following Senate Resolutions, to-wit:

S. R. 29. HONORING MR. DEWEY WILLIAMS OF OZARK, ALABAMA, ON THE OCCASION OF HIS 85TH BIRTHDAY.

Also:

S. R. 30. CONGRATULATING AND COMMENDING MR. AND MRS. METICIOUS SNELL OF BERTHA, ALABAMA, ON THE OCCASION OF THEIR 60TH WEDDING ANNIVERSARY.

Which were adopted.

Senators Corbett and Little offered the following Senate Resolution, to-wit:

S. R. 31. COMMENDING MR. DAVID ARRINGTON OF VALLEY, ALABAMA.

Which was adopted.

Senator Barron offered the following Senate Resolution, to-wit:

S. R. 32. COMMENDING FORMER UNITED STATES CONGRESSMAN ROBERT E. JONES.

Which was adopted.

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 33. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the fifth legislative day of the 1983 Second Special Session only:

BILL NO.	PAGE NO.	DESCRIPTION
H. B. 1	8	To provide for the reapportionment of the two houses of the AL Legislature based upon the 1980 census and to expressly repeal Act No. 81-1049, 1981 Second Special Session and Act No. 82-629, 1982 First Special Session.
H. B. 16	10	Relating to the AL Life & Disability Insurance Guaranty Association Act.
H. B. 3	8	Relating to Code of Alabama 1975
S. B. 17	5	IRA funds for employees, am'd

S. B. 33	9	Dept. of Aeronautics, assist. director, position created
S. B. 29	2	D.U.I. or Drugs, arrest powers of officers
S. B. 2	11	Contractors, use domestically produced steel

On motion of Senator Bishop, the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Johnson (Roy), and McKee:

H. J. R. 39. URGING PRESIDENT REAGAN'S CAREFUL CONSIDERATION OF GOVERNOR WALLACE'S REQUEST EXPRESSING OPPOSITION TO THE RECENTLY IMPOSED USER FEES AND TAX INCREASES ON THE TRUCKING INDUSTRY.

WHEREAS, it is the consensus of the Alabama Legislature that recently enacted tax legislation, imposing increased user fees and taxes upon our nation's trucking industry, will effectively force many truckers into bankruptcy; and

WHEREAS, the essential services provided by the trucking industry, and most particularly America's independent truckers, are vital to the very survival of the American farmers, our national industries and businesses, both large and small, countrywide; and

WHEREAS, Governor Wallace's recent request to President Reagan reflects the judgment of this body that a repeal or lowering of the exorbitant fees and taxes now imposed must be reduced if America's trucking industry, as we now know it, is to continue in existence; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most respectfully urge President Reagan to carefully and favorably consider Governor George Wallace's recent request with regard to the punitive fees and increased taxes imposed upon the trucking industry of our nation.

BE IT FURTHER RESOLVED, That, by copy of this resolution, the Clerk of the House is directed to advise President Reagan of this respectful request of the House and Senate of the Alabama Legislature.

JOHN PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 39, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Johnson (Roy):

H. J. R. 38. REQUESTING THAT THE TENNESSEE VALLEY AUTHORITY PROPERLY RECLASSIFY THE ELECTRICITY RATES OF THE AGRICULTURAL COMMUNITY.

WHEREAS, the Tennessee Valley Authority has announced plans to require electric co-ops and municipalities purchasing TVA electrical power to classify agricultural operations as commercial; and

WHEREAS, agriculture has been in a serious market depression for several years with no foreseeable relief; and

WHEREAS, reclassifying agricultural operations to commercial will deal a serious economic blow to the citizens and the economy of this state; and

WHEREAS, farmers rarely produce "finished" agricultural products ready for the consumer marketplace; and

WHEREAS, such reclassification will cost farmers an increase of approximately 29 percent in electrical rates; and

WHEREAS, agricultural operations consume the most power in the summertime when other power demand is low and at the very time of the year when TVA needs to increase consumption; and

WHEREAS, if the new rate structure is not changed to remove agricultural producers from the commercial classification, many that are now facing potential bankruptcy due to the actions of TVA, will go bankrupt; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the State of Alabama urgently requests that the Tennessee Valley Authority be caused to amend the new rate structure so as not to impose commercial rates on farmers and other agricultural producers.

BE IT FURTHER RESOLVED, That the Legislature of Alabama concurs with Governor George C. Wallace of Alabama in his recent letter to the President of the United States, Congressmen and the Directors of TVA urging the reclassification of agricultural producers from commercial, back to the same rate that residential customers experience.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the President of the United States, Congressmen and the Directors of the Tennessee Valley Authority.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 38, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING

The Bill:

H. 4. Relating to Lauderdale County; amending Act No. 88, S. 181, 1959 Regular Session, (Acts 1959, p. 509), as amended, which provides for the county law library, so as to provide further for the collection of court costs for the maintenance of said library.

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was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators	Bedsole	Foshee	Mitchell	
Aldridge	Bishop	Goodwin	Mitchem	
Amari	Cooley	Holmes	Parsons	
Bachus	Corbett	Keener	Pearson	
Bailey	Denton	Little	Proctor	
Barron	Dixon	Menton	Teague	
Bedford	Figures			—25

Nays: —0

The Bill:

H. 15. Relating to Russell County; providing that any person who was employed in the office of judge of probate prior to the election of any probate judge shall be entitled to continued employment in that office notwithstanding that such judge of probate is related by blood or marriage.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bedsole	Goodwin	Mitchell	
Aldridge	Bishop	Holmes	Mitchem	
Amari	Corbett	Keener	Parsons	
Bachus	Denton	Kirkland	Pearson	
Bailey	Dixon	Little	Proctor	
Barron	Figures	Menton	Teague	
Bedford	Foshee			—25

Nays: —0

RESOLUTION

Senators Bedsole and Figures offered the following Senate Joint Resolution, to-wit:

S. J. R. 34. COMMENDING THE RENOWNED EXCELSIOR BAND OF MOBILE, ALABAMA.

WHEREAS, the Excelsior Band of Mobile Mardi Gras fame is now in its 100th musical year, celebrating the centennial of its founding on November 23, 1883; and

WHEREAS, organized on that day by John A. Pope, to commemorate the birth of his only son, John C. Pope, the Excelsior Band has performed during the past century for funeral processions, weddings, baseball games, ferry boat excursions on Mobile Bay and for other special and gala affairs; and

WHEREAS, the band's participation in Mardi Gras has become a tradition which was established in the days of dirt city streets and in the early days of the celebration's revival by America's first Mardi Gras City; and

WHEREAS, it is further to be noted that in honor of this signal event, the Mobile Mardi Gras Doubloon Collector's Club has issued a special medallion commemorating "A Century of Mardi Gras Music" by the Excelsior

Band; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend and congratulate the Excelsior Band of Mobile, Alabama, and direct that copies of this resolution be presented to band manager, Mr. James M. Seals, Jr., on behalf of each member of the band and in token of the warm praise and esteem of both the House and Senate of the Alabama Legislature.

On motion of Senator Bedsole, the Rules were suspended and the Resolution was adopted by the Senate.

UNFINISHED BUSINESS BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 1. To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census.

and pending substitute, which said substitute was set out in the Journal of the Senate for the Third Legislative Day.

On motion of Senator Proctor, further consideration of the Bill, S.B. 1, and pending substitute, was postponed temporarily.

SPECIAL ORDER

The Senate then proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

H. 1. To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census, and to expressly repeal Act No. 81-1049, 1981 Second Special Session and Act No. 82-629, 1982 First Special Session.

The Standing Committee on Governmental Affairs reported the following amendment to the Bill, H.B. 1, to-wit:

COMMITTEE AMENDMENT NO. 1 TO H. B. 1

Delete the House amendment to House Bill 1 and insert in lieu thereof the following:

On page 73, House District 87, on line 4, after the word "County", insert the following language:

"Except the Moundville Division";

Also on page 73, House District 87, between lines 16 and 17, insert the following language:

"York Division

Remainder of York Division

Enumeration District 238";

On page 76, House District 90, delete line 11 in its entirety;

Also on page 76, House District 90, after line 12 insert the following language:

"In Hale County

Moundville Division"

On motion of Senator Proctor, further consideration of the Bill, H.B. 1, and pending amendment, was postponed temporarily.

The Bill:

H. 16. To repeal Section 19 of Act No. 82-561, S. 102, Regular Session 1982 (Acts 1982, p. 922), relating to the Alabama Life and Disability Insurance Guaranty Association Act, which section prohibits the use of advertising of the Life and Disability Insurance Guaranty Association for purposes of sales, solicitation, or inducement to purchase any form of insurance covered by said Act.

was read a third time at length and passed.

Yeas 17; Nays 3.

Yeas:

Senators:	Corbett	Goodwin	Mitchell
Amari	Covington	Holmes	Mitchem
Bailey	deGraffenried	Keener	Parsons
Barron	Denton	Little	Smith (J)
Bishop	Foshee		

—17

Nays:

Senators:	Bachus	Cabaniss	Robertson	—3
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RECESS

At 11:45 A.M., on motion of Senator Goodwin, the Senate took a recess until 1:30 P.M.

The recess period having expired, the Senate was called to order by Lieutenant Governor Baxley. A quorum of the Senate was present.

BILLS ON THIRD READING RESUMED

The Bill:

H. 3. To adopt and incorporate into the Code of Alabama 1975 all general and permanent classified municipal laws of the State adopted by the legislature during the 1979 and 1980 Sessions and the 1981 Regular Session and all general and permanent laws, including the classified municipal laws, of the State adopted by the legislature during the 1981 First, Second and Third Special Sessions, the 1982 Regular Session and the 1982 First Special Session, as contained in the 1982 Cumulative Supplement to the Code of Alabama 1975, and to make certain corrections in such cumulative supplement; to adopt and incorporate into the Code of Alabama 1975 the Intestate Succession and Wills Act (Act No. 82-399, S. 49, 1982 Regular Session, referred to as the Probate Code) as contained in Chapter 8 of Title 43 of the 1982 Replacement Volume 22 of the Code; and to adopt and incorporate into the Code of Alabama 1975 all general and permanent laws of the State adopted by the legislature during the 1982 Second Special Session as contained in the 1982 Interim Supplement to the Code of Alabama 1975.

was read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Senators:	Bedsole	deGraffenried	Little	
Aldridge	Bishop	Foshee	Menton	
Amari	Boyington	Harrison	Mitchell	
Bachus	Cabaniss	Holmes	Mitchem	
Bailey	Covington	Kirkland	Parsons	
Barron				—20

Nays: —0

The Bill:

S. 17. To amend Section 16-22-6, Code of Alabama, 1975, so as to provide further for payroll deductions for educational employees and for Public Employees' Individual Retirement Account Fund (PEIRAF) created by Act 82-776.

was taken up.

Senator Parsons offered the following substitute for the Bill, S.B. 17, to-wit:

SUBSTITUTE FOR S.B. 17
A BILL
TO BE ENTITLED
AN ACT

To amend Section 16-22-6, Code of Alabama, 1975, so as to provide further for payroll deductions for educational employees and for Public Employees' Individual Retirement Account Fund (PEIRAF) created by Act 82-776.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 16-22-6, Code of Alabama, 1975, is hereby amended to read as follows:

"16-22-6. Each local board of education and Postsecondary Institution shall adopt policies or regulations which will provide for deductions from salaries of its employees or groups of employees whenever a request is presented to the board or Postsecondary Institution by said employees or groups thereof. Such deductions shall be made from salaries earned in at least six nine (9) different pay periods and shall be remitted to the appropriate company, association or organization as specified by the employees within ten (10) days following each deduction. The deductions may be made for, but not limited to, tax sheltered annuities, the Public Employees' Individual Retirement Account Fund, membership dues, voluntary contributions, and group insurance premiums. Deductions for membership dues and voluntary contributions shall be made based upon membership lists and forms provided by the employees' organization. Such lists are to be corrected, updated, and returned to the employees' designated organization(s) not later than November 10 of each school year. The 1982-83 membership dues and voluntary contribution authorized, with appropriate yearly adjustments, shall be deducted for each succeeding year unless the employee revokes the deductions in writing on or before September 15 of that year. New authorizations shall be permitted to be added at least twice per year. Upon termination, amounts owed under the authorization of the employee shall be deducted from employee's final pay due. With the exception of membership dues, and voluntary contributions, the board or Postsecondary Institution shall not be required to make more than one remittance, of amounts deducted during a pay period, for a separate type of deduction.

Health insurance, life insurance and tax sheltered annuities shall be interpreted as separate types of deductions. When amounts have been correctly deducted and remitted by the board or Postsecondary Institution, said board or Postsecondary Institution shall bear no further responsibility or liability for subsequent transactions." No Board or Postsecondary Institution shall be liable for any error when acting in good faith under the provisions of this Act.

Section 2. This Act as it relates to Postsecondary Institutions shall be limited to the largest teacher organization's dues and voluntary contributions.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law, except in Postsecondary Institutions which are not deducting at the time of this Act becoming law. Such Institutions shall be covered effective October 1, 1983.

On motion of Senator Cabaniss, further consideration of the Bill, S.B. 17, and pending substitute, was postponed temporarily.

The Bill:

S. 33. To create the position of assistant director of the department of aeronautics; to provide for his appointment, duties and salary.
was taken up.

On motion of Senator Denton, further consideration of the Bill, S.B. 33, was postponed temporarily.

The Bill:

S. 29. To amend Section 32-5-171, Code of Alabama, 1975, by inserting the words "Section 32-5A-191" in lieu of "Section 32-5-170" where the same appears in said section.
was taken up.

On motion of Senator Keener, further consideration of the Bill, S.B. 29, was postponed temporarily.

The Bill:

S. 2. Requiring contractors on certain public projects to use domestically produced steel under pain of contract revocation for violation.
was taken up.

Senator Foshee offered the following amendment to the Bill, S.B. 2, to-wit:

AMENDMENT TO S.B. 2

In Section 1, line 24, after the word "project", insert the following language:

, financed entirely by the State of Alabama or any political subdivision

thereof,

In Section 1, line 27, after the period, insert the following language:

If, in the opinion of the Highway Director, the procurement of the above mentioned domestic steel products becomes impractical as a result of a national emergency, national strike, or other cause, the Highway Director may waive the above restriction for highway related projects.

Which was adopted.

Yeas 25; Nays 1.

Yeas:

Senators:	Boyington	Foshee	Mitchell	
Aldridge	Cabaniss	Goodwin	Mitchem	
Bachus	Cooley	Holmes	Robertson	
Bailey	Corbett	Keener	Smith (B)	
Barron	Covington	Kirkland	Smith (J)	
Bedsole	deGraffenried	Menton	Teague	
Bishop	Denton			—25

Nay: Senator Parsons —1

And said Bill, S.B. 2, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Senators:	Corbett	Harrison	Mitchell	
Aldridge	Covington	Hilliard	Parsons	
Amari	deGraffenried	Holmes	Proctor	
Bachus	Denton	Keener	Robertson	
Bailey	Dixon	Kirkland	Smith (B)	
Bishop	Foshee	Little	Smith (J)	
Cabaniss	Goodwin	Menton	Teague	—27

Nays: —0

On motion of Senator Corbett, his name was added as co-sponsor of the above Bill, S.B. 2.

FURTHER CONSIDERATION OF S.B. 29

The Senate proceeded to further consideration of the Bill, S.B. 29.

And said Bill, S.B. 29, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Senators:	deGraffenried	Holmes	Parsons	
Aldridge	Dixon	Keener	Proctor	
Amari	Foshee	Kirkland	Robertson	
Bailey	Goodwin	Little	Smith (B)	
Cabaniss	Harrison	Menton	Smith (J)	
Corbett	Hilliard	Mitchell	Teague	—23

Nays: —0

FURTHER CONSIDERATION OF S.B. 33

The Senate then proceeded to further consideration of the Bill, S.B. 33.

And said Bill, S.B. 33, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 2.

Yeas:

Senators:	Corbett	Holmes	Parsons
Aldridge	deGraffenried	Keener	Proctor
Amari	Dixon	Kirkland	Robertson
Bishop	Goodwin	Menton	Smith (B)
Cabaniss	Harrison	Mitchell	Smith (J)
Cooley	Hilliard	Mitchem	Teague

—23

Nays: Senators: Boyington, Little —2

MOTION TO ADJOURN LOST

At 2:40 P.M., Senator Goodwin moved that the Senate adjourn until Thursday, February 17, 1983, at 11 o'clock A.M., which motion was lost.

FURTHER CONSIDERATION OF S.B. 17

The Senate proceeded to further consideration of the Bill, S.B. 17. The question was on the substitute offered by Senator Parsons.

Senator Little offered the following amendment to the substitute for the Bill, S.B. 17, to-wit:

AMENDMENT TO SUBSTITUTE FOR S.B. 17

Amend Senate Bill No. 17, Page 2 by inserting a new Section 2 and re-numbering all remaining sections.

New Section 2 is to read as follows:

Section 2. The term "voluntary contributions" shall be defined as contributions for purposes other than political contributions.

On motion of Senator Parsons, said amendment was laid on the table.

Yeas 18; Nays 11.

Yeas:

Senators:	deGraffenried	Keener	Proctor
Bailey	Denton	Mitchell	Robertson
Cooley	Figures	Mitchem	Smith (J)
Corbett	Foshee	Parsons	Teague
Covington	Harrison	Pearson	

—18

Nays:

Senators:	Bachus	Cabaniss	Little
Aldridge	Bedsole	Dixon	Menton
Amari	Boyington	Goodwin	Smith (B)

—11

On motion of Senator Parsons, further consideration of the Bill, S.B. 17, and pending substitute, was postponed temporarily.

FURTHER CONSIDERATION OF H.B. 1

The Senate proceeded to further consideration of the Bill, H.B. 1. The question was on the Committee amendment No. 1.

Senator Proctor moved that further consideration of the Bill, H.B. 1, and pending amendment be postponed temporarily.

On motion of Senator Smith (J), said motion to postpone was laid on the table.

And said Committee amendment was then adopted by the Senate.

Yeas 23; Nays 1.

Yeas:

Senators:	Bishop	Dixon	Menton	
Aldridge	Boyington	Figures	Mitchell	
Amari	Cabaniss	Foshee	Mitchem	
Bachus	Cooley	Harrison	Proctor	
Bailey	Covington	Kirkland	Robertson	
Bedsole	deGraffenried	Little	Smith (J)	—23

Nay: Senator Goodwin

—1

The Standing Committee on Governmental Affairs reported the following amendment to the Bill, H.B. 1, as amended, to-wit:

COMMITTEE AMENDMENT NO. 2 TO H.B. 1, AS AMENDED

Amend House Bill 1 on page 93, line 30 as follows:

Delete House District No. 78 and insert thereof,

House District 80.

Further amend on page 93, line 32 by deleting House District 80 and inserting thereof House District No. 78.

On motion of Senator Dixon, said Committee amendment was laid on the table.

Yeas 18; Nays 14.

Yeas:

Senators:	Corbett	Harrison	Proctor	
Bachus	Covington	Holmes	Robertson	
Bedsole	Denton	Little	Smith (B)	
Boyington	Dixon	Menton	Teague	
Cabaniss	Goodwin	Mitchem		—18

Nays:

Senators:	Cooley	Hilliard	Parsons	
Aldridge	deGraffenried	Keener	Pearson	
Amari	Figures	Kirkland	Smith (J)	
Bishop	Foshee	Mitchell		—14

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, and House Joint Resolutions, your signature thereto is requested.

H. 4. Relating to Lauderdale County; amending Act No. 88, S. 181, 1959 Regular Session, (Acts 1959, p. 509), as amended, which provides for the county law library, so as to provide further for the collection of court costs for the maintenance of said library.

Also:

H. 15. Relating to Russell County; providing that any person who was employed in the office of judge of probate prior to the election of any probate judge shall be entitled to continued employment in that office notwithstanding that such judge of probate is related by blood or marriage.

Also:

H. 16. To repeal Section 19 of Act No. 82-561, S. 102, Regular Session 1982 (Acts 1982, p. 922), relating to the Alabama Life and Disability Insurance Guaranty Association Act, which section prohibits the use of advertising of the Life and Disability Insurance Guaranty Association for purposes of sales, solicitation, or inducement to purchase any form of insurance covered by said Act.

Also:

H. J. R. 41. CONGRATULATING MUNFORD HIGH SCHOOL LIONS.

Also:

H. J. R. 42. CONGRATULATING MRS. HENRY GRADY JACOBS OF SCOTTSBORO, ALABAMA, ON THE OCCASION OF HER 90TH BIRTHDAY.

Also:

H. J. R. 47. COMMENDING MR. JIM SULLIVAN OF ANDALUSIA ON HIS APPOINTMENT TO THE PRESIDENCY OF THE ALABAMA PUBLIC SERVICE COMMISSION.

Also:

H. J. R. 48. COMMENDING MR. BILL McCLAIN OF ANDALUSIA, COVINGTON COUNTY ENGINEER.

Also:

H. J. R. 50. MOURNING THE DEATH OF DOCTOR JULIET NUNN PEARSON.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills and House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your

signature thereto is requested.

H. 3. To adopt and incorporate into the Code of Alabama 1975 all general and permanent classified municipal laws of the State adopted by the legislature during the 1979 and 1980 Sessions and the 1981 Regular Session and all general and permanent laws, including the classified municipal laws, of the State adopted by the legislature during the 1981 First, Second and Third Special Sessions, the 1982 Regular Session and the 1982 First Special Session, as contained in the 1982 Cumulative Supplement to the Code of Alabama 1975, and to make certain corrections in such cumulative supplement; to adopt and incorporate into the Code of Alabama 1975 the Intestate Succession and Wills Act (Act No. 82-399, S. 49, 1982 Regular Session, referred to as the Probate Code) as contained in Chapter 8 of Title 43 of the 1982 Replacement Volume 22 of the Code; and to adopt and incorporate into the Code of Alabama 1975 all general and permanent laws of the State adopted by the legislature during the 1982 Second Special Session as contained in the 1982 Interim Supplement to the Code of Alabama 1975.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the Title of which is set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H.B. 1

The Senate proceeded to further consideration of the Bill, H.B. 1, as amended.

Senators Keener, Proctor, deGraffenried, Little, Figures, and Hilliard offered the following substitute for the Bill, H.B. 1, as amended, to-wit:

SUBSTITUTE FOR H.B. 1, AS AMENDED

A BILL TO BE ENTITLED AN ACT

To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census.

Be it enacted by the legislature of Alabama:

Section 1. The House of Representatives of the Alabama Legislature shall consist of 105 members and each member shall reside in the district he represents. The state is hereby divided into 105 house districts as follows:

HOUSE DISTRICT 1 SHALL CONSIST OF:

In Lauderdale County

Florence Division

Florence City

HOUSE DISTRICT 2 SHALL CONSIST OF:

In Colbert County

Cherokee Division

Leighton Division

Littleville Division

Tri-Cities Division

Sheffield City

Tract 204

Tuscumbia City

Remainder of Tri-Cities Division

HOUSE DISTRICT 3 SHALL CONSIST OF:

In Colbert County

Tri-Cities Division

Muscle Shoals City

Sheffield City

Tract 201

Tract 202

Tract 203

Tract 205

In Lauderdale County

Cloverdale Division

Tract 114

Block Groups 1 - 2

Florence Division

Remainder of Florence Division

Tract 101

Tract 102

Tract 103

Tract 108

Tract 109

Tract 111

Tract 115

Block Groups 1 - 3

Block Groups 5 - 8

Killen Division

Remainder of Killen Division

Tract 116

Blocks 314 - 315

Block 317

Block 319

Oakland Division

Waterloo Division

HOUSE DISTRICT 4 SHALL CONSIST OF:

In Lauderdale County

Cloverdale Division

Tract 114

Block Group 9

Enumeration District 441

Enumeration District 442

Enumeration District 443

Florence Division

St. Florian Town

Remainder of Florence Division

Tract 115

Enumeration District 440

Killen Division

Killen Town

Remainder of Killen Division

Tract 116

Block Groups 1 - 2

Blocks 301 - 313

Blocks 320 - 331

Blocks 339 - 346

Block Group 4

Enumeration District 437

Enumeration District 438

Enumeration District 439

Enumeration District 449

Lexington Division

Rogersville Division

In Limestone County

Athens Division

Remainder of Athens Division

Tract 202

Enumeration District 682

Tract 204

Enumeration District 683

Enumeration District 686

Tract 211

Enumeration District 692

Salem Division

HOUSE DISTRICT 5 SHALL CONSIST OF:

In Limestone County

Athens Division

Ardmore Town

Tract 201

Athens City

Elkmont Town

Tract 202

Remainder of Athens Division

Tract 201

Tract 202

Enumeration District 680T

Enumeration District 680U

Enumeration District 681

Tract 204

Enumeration District 684

Enumeration District 685

Tract 206

Tract 207

Tract 208

Tract 209

Tract 211

Enumeration District 691

Mooresville Division

HOUSE DISTRICT 6 SHALL CONSIST OF:

In Madison County

Huntsville Division

Huntsville City

Tract 6.01

Tract 13

Blocks 202 - 211

Tract 14

Tract 15

Block 209

Tract 22

Tract 23

Blocks 107 - 108

Blocks 210 - 211

Blocks 315 - 322

Block Group 4

Tract 24

Blocks 101 - 105

Blocks 115 - 117

Blocks 202 - 218

Tract 105

Tract 106

Blocks 907 - 909

Madison City

Tract 106

Block 910

Remainder of Huntsville Division

Tract 6.01

Block 214

Tract 14

Tract 105

Tract 106

Block 102

Blocks 106 - 148

Blocks 210 - 227

Block 905

Blocks 907 - 910

Madison Division

Madison City

Tract 110

Remainder of Madison Division

Tract 110

Madison Crossroads Division

Tract 104

Triana-Blackwall Division

HOUSE DISTRICT 7 SHALL CONSIST OF:

All of Lawrence County

In Morgan County

Danville Division

Decatur Division

Remainder of Decatur Division

Tract 51

Enumeration District 270

HOUSE DISTRICT 8 SHALL CONSIST OF:

In Morgan County

Decatur Division

Decatur City

Tract 1

Tract 3

Block 212

Block Groups 3 - 4

Tract 4

Tract 5

Tract 6

Tract 7

Tract 8

Tract 9

Tract 10

Tract 51

Remainder of Decatur Division

Tract 1

Tract 5

HOUSE DISTRICT 9 SHALL CONSIST OF:

In Morgan County

Decatur Division

Decatur City

Tract 2

Tract 3

Block Group 1

Blocks 201 - 211

Blocks 213 - 214

Flint City Town

Tract 51

Trinity Town

Tract 51

Remainder of Decatur Division

Tract 2

Tract 6

Tract 7

Tract 10

Tract 51

Block Groups 1 - 9

Falkville Division

Remainder of Falkville Division

Tract 55

Enumeration District 263

Enumeration District 265

Hartselle Division

Laceys Spring Division

Tract 57

Enumeration District 251

Somerville Division

HOUSE DISTRICT 10 SHALL CONSIST OF:

In Madison County

Arsenal Division

Huntsville City

Tract 111

Remainder of Arsenal Division

Tract 111

Huntsville Division

Huntsville City

Tract 19.03

Blocks 109 - 114

SECOND EXTRAORDINARY SESSION
5th Day

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Tract 24

Blocks 106 - 114

Block 201

Tract 25.02

Tract 26

Blocks 211 - 214

Blocks 219 - 221

Block 223

Block Group 3

Tract 27.01

Tract 28.01

Tract 28.02

Tract 29.01

Tract 29.02

Remainder of Huntsville Division

Tract 28.02

Tract 29.01

Block 122

Tract 29.02

New Hope Division

Huntsville City

Tract 113

Owens Crossroads Town

Tract 113

Remainder of New Hope Division

Tract 113

HOUSE DISTRICT 11 SHALL CONSIST OF:

In Cullman County

Baileyton-Joppa Division

Cullman Division

Remainder of Cullman Division

Tract 9999.99

Enumeration District 127A

Holly Pond Division

Simcoe Division

Vinemont Division

Wolti Division

In Morgan County

Eva Division

Falkville Division

Falkville Town

Remainder of Falkville Division

Tract 55

Block Groups 1 - 2

Enumeration District 264

Laceys Spring Division

Tract 57

Block Group 1

Enumeration District 250

Enumeration District 252

Enumeration District 253

HOUSE DISTRICT 12 SHALL CONSIST OF:

In Cullman County

Bremen Division

Crane Hill Division

Cullman Division

Cullman City

Good Hope Town

West Point Town

Remainder of Cullman Division

Tract 9999.99

Enumeration District 124A

Enumeration District 125

Enumeration District 126A

Enumeration District 128

Enumeration District 129

Enumeration District 130

Enumeration District 131

Hanceville Division

Jones Chapel Division

Logan Division

HOUSE DISTRICT 13 SHALL CONSIST OF:

In Walker County
Dora Division
Empire Division
Jasper Division
Sipsey Division

HOUSE DISTRICT 14 SHALL CONSIST OF:

In Tuscaloosa County
Samantha Division
Tuscaloosa Division
Tuscaloosa City
Tract 102
Block 252
Remainder of Tuscaloosa Division
Tract 102
Blocks 125 - 126
Block 142
Blocks 201 - 203
Blocks 209 - 210
Blocks 216 - 217
Enumeration District 658A
Windham Springs Division
In Walker County
Carbon Hill Division
Cordova Division
Flat Creek-Wegra Division
Manchester Division
Nauvoo Division
Oakman Division
Parrish Division
Townley Division

HOUSE DISTRICT 15 SHALL CONSIST OF:

All of Pickens County
In Tuscaloosa County
Coker Division
Northport City

Tract 103**Blocks 114 - 115****Blocks 129 - 131****Blocks 136 - 148****Block Group 2****Block Group 9****Tuscaloosa City****Tract 103****Block Group 9****Remainder of Coker Division****Tract 103****Blocks 101 - 104****Blocks 106 - 115****Blocks 130 - 131****Blocks 139 - 140****Block 142****Block 148****Block 155****Block 167****Block Group 2****Block Group 9****Enumeration District 656****Enumeration District 657****Elrod-Moores Bridge-Echola Division****Tuscaloosa Division****Northport City****Tract 102****Blocks 101 - 121****Blocks 123 - 125****Blocks 127 - 128****Block Group 2****Blocks 905 - 906****Blocks 909 - 910****Tract 104.01****Block Groups 3 - 5****Remainder of Tuscaloosa Division**

**SECOND EXTRAORDINARY SESSION
5th Day**

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Tract 102

Block 124

Blocks 127 - 128

Blocks 140 - 141

Blocks 204 - 208

Blocks 212 - 215

Blocks 904 - 906

Blocks 909 - 910

Enumeration District 659

Tract 104.01

Block Group 3

Block Group 5

HOUSE DISTRICT 16 SHALL CONSIST OF:

All of Fayette County

All of Lamar County

In Marion County

Guin Division

HOUSE DISTRICT 17 SHALL CONSIST OF:

In Marion County

Bear Creek Division

Remainder of Bear Creek Division

Tract 9999.99

Enumeration District 402U

Bexar Division

Tract 9999.99

Enumeration District 407

Brilliant Division

Hamilton Division

Hamilton City

Remainder of Hamilton Division

Tract 9999.99

Enumeration District 414A

Enumeration District 415A

Enumeration District 415D

Winfield Division

All of Winston County

HOUSE DISTRICT 18 SHALL CONSIST OF:

All of Franklin County

In Marion County

Bear Creek Division

Bear Creek Town

Tract 9999.99

Enumeration District 400

Remainder of Bear Creek Division

Tract 9999.99

Enumeration District 401T

Enumeration District 401U

Enumeration District 402T

Bexar Division

Tract 9999.99

Enumeration District 406

Hackleburg Division

Hamilton Division

Weston Town

Remainder of Hamilton Division

Tract 9999.99

Enumeration District 409B

Enumeration District 409C

Enumeration District 413A

HOUSE DISTRICT 19 SHALL CONSIST OF:

In Madison County

Huntsville Division

Huntsville City

Tract 1

Blocks 122 - 123

Block 221

Block 225

Block Group 3

Tract 2.01

Block Group 1

Block 901

Block 908

**SECOND EXTRAORDINARY SESSION
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Tract 2.02

Block Group 9

Tract 3.01

Blocks 101 - 110

Blocks 217 - 218

Blocks 317 - 321

Tract 3.02

Block Group 1

Tract 4.01

Tract 4.02

Tract 5.02

Tract 5.03

Tract 6.02

Tract 12

Tract 13

Block Group 1

Block 201

Blocks 212 - 220

Tract 15

Block Group 1

Blocks 201 - 208

Block 212

Blocks 214 - 223

Block 225

Tract 16

Blocks 202 - 205

Blocks 209 - 210

Block Group 3

Tract 21

Blocks 101 - 104

Tract 106

Block 901

Remainder of Huntsville Division

Tract 4.01

Tract 5.01

Tract 5.02

Tract 5.03

Tract 106

Block 101

Blocks 103 - 105

Blocks 149 - 150

Blocks 201 - 209

Blocks 901 - 904

Blocks 986 - 989

HOUSE DISTRICT 20 SHALL CONSIST OF:

In Madison County

Huntsville Division

Huntsville City

Tract 1

Blocks 101 - 112

Blocks 114 - 121

Blocks 201 - 205

Block 207

Blocks 209 - 220

Blocks 222 - 223

Block Groups 4 - 5

Tract 9.02

Block 123

Tract 10

Blocks 309 - 324

Blocks 401 - 402

Tract 16

Block Group 1

Block 201

Blocks 206 - 207

Tract 17

Tract 18.01

Tract 18.02

Tract 19.01

Tract 19.02

Tract 19.03

Blocks 102 - 108

SECOND EXTRAORDINARY SESSION
5th Day

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Block 117

Tract 20

Tract 21

Blocks 105 - 123

Blocks 125 - 127

Block Groups 2 - 5

Tract 23

Blocks 101 - 106

Blocks 109 - 118

Blocks 201 - 209

Blocks 212 - 220

Blocks 301 - 314

Tract 25.01

Tract 26

Block Group 1

Blocks 201 - 210

Block 222

Tract 27.02

Remainder of Huntsville Division

Tract 19.01

Tract 19.02

Block 904

Tract 27.02

Block 906

Block 918

HOUSE DISTRICT 21 SHALL CONSIST OF:

In Madison County

Huntsville Division

Huntsville City

Tract 2.01

Blocks 902 - 904

Tract 2.02

Block Groups 1 - 2

Tract 3.01

Blocks 111 - 120

Blocks 201 - 216

Blocks 219 - 220

Blocks 301 - 309

Blocks 311 - 316

Tract 3.02

Block Group 2

Tract 5.01

Tract 7.01

Tract 7.02

Tract 8

Tract 9.01

Tract 9.02

Blocks 101 - 122

Tract 10

Block Groups 1 - 2

Blocks 301 - 308

Blocks 417 - 423

Block Groups 5 - 6

Tract 11

Tract 107

Tract 108

Block Group 9

Remainder of Huntsville Division

Tract 2.01

Tract 9.01

Tract 107

Tract 108

Blocks 101 - 102

Blocks 107 - 116

Block Group 9

HOUSE DISTRICT 22 SHALL CONSIST OF:

In Jackson County

Paint Rock Division

Princeton Division

Scottsboro Division

Scottsboro City

Tract 9902

**SECOND EXTRAORDINARY SESSION
5th Day**

153

Block Group 1

Blocks 201 - 202

Blocks 204 - 207

Blocks 209 - 251

Block Groups 3 - 4

Remainder of Scottsboro Division

Tract 9999.99

Enumeration District 196

Enumeration District 197

In Madison County

Gurley Division

Hazel Green Division

Tract 103

Huntsville Division

Huntsville City

Tract 108

Block 157

Block 177

Remainder of Huntsville Division

Tract 108

Blocks 103 - 106

Blocks 117 - 178

New Hope Division

New Hope Town

Tract 114

Enumeration District 544

Remainder of New Hope Division

Tract 114

Enumeration District 546

New Market Division

Tract 101

Tract 102

HOUSE DISTRICT 23 SHALL CONSIST OF:

In Jackson County

Bridgeport Division

Bridgeport City

Tract 9999.99

Enumeration District 179

Enumeration District 180

Remainder of Bridgeport Division

Tract 9999.99

Enumeration District 181

Long Island Division

Pisgah Division

Scottsboro Division

Hollywood Town

Tract 9999.99

Enumeration District 195

Scottsboro City

Tract 9901

Tract 9902

Block 203

Block 208

Remainder of Scottsboro Division

Tract 9999.99

Enumeration District 198

Section Division

Stevenson Division

HOUSE DISTRICT 24 SHALL CONSIST OF:

In DeKalb County

Fort Payne Division

Fort Payne City

Remainder of Fort Payne Division

Tract 9999.99

Enumeration District 436

Enumeration District 437A

Enumeration District 438

Fyffe Division

Fyffe Town

Shiloh Town

Remainder of Fyffe Division

Tract 9999.99

**SECOND EXTRAORDINARY SESSION
5th Day**

155

Enumeration District 423B

Enumeration District 423C

Enumeration District 423D

Enumeration District 423E

Enumeration District 423F

Enumeration District 423G

Enumeration District 423H

Enumeration District 424A

Henagar Division

Ider Division

Rainsville-Sylvania Division

Valley Head-Mentone Division

HOUSE DISTRICT 25 SHALL CONSIST OF:

In Marshall County

Arab Division

Douglas Division

Remainder of Douglas Division

Tract 310

Enumeration District 824

Grant Division

Guntersville Division

Town Creek Division

Union Grove Division

HOUSE DISTRICT 26 SHALL CONSIST OF:

In DeKalb County

Crossville Division

Crossville Town

Tract 9999.99

Enumeration District 431

Remainder of Crossville Division

Tract 9999.99

Enumeration District 432

Fyffe Division

Lakeview Town

Remainder of Fyffe Division

Tract 9999.99

Enumeration District 425A

Geraldine Division

In Marshall County

Albertville-Boaz Division

Douglas Division

Douglas Town

Tract 310

Enumeration District 823B

Remainder of Douglas Division

Tract 310

Enumeration District 822

Enumeration District 823A

HOUSE DISTRICT 27 SHALL CONSIST OF:

All of Blount County

HOUSE DISTRICT 28 SHALL CONSIST OF:

In Etowah County

Altoona Division

Gadsden Division

Attalla City

Tract 101

Tract 102

Gadsden City

Tract 6

Block Groups 2 - 4

Tract 9

Block Groups 3 - 7

Tract 11

Tract 13

Tract 14

Tract 15

Tract 16

Tract 17

Tract 102

Tract 103

Tract 104

Reece City Town

**SECOND EXTRAORDINARY SESSION
5th Day**

157

Tract 101

Remainder of Gadsden Division

Tract 3

Tract 6

Tract 9

Tract 11

Tract 12

Tract 13

Tract 14

Tract 16

Tract 17

Tract 101

Tract 102

Tract 103

Block Group 9

Enumeration District 527

Enumeration District 528

Tract 104

Enumeration District 529

HOUSE DISTRICT 29 SHALL CONSIST OF:

In Etowah County

Gadsden Division

Attalla City

Tract 104

Gadsden City

Tract 1

Tract 2

Tract 3

Tract 4

Blocks 626 - 630

Tract 5

Tract 6

Block Group 1

Tract 7

Tract 8

Tract 9

Block Groups 1 -2**Tract 10****Tract 12****Reece City Town****Tract 4****Tract 103****Ridgeville Town****Tract 103****Remainder of Gadsden Division****Tract 2****Tract 4****Block 627****Tract 103****Block Groups 1 - 2****Enumeration District 525****Enumeration District 526****Lookout Mountain Division****Remainder of Lookout Mountain Division****Tract 108****Enumeration District 502****Enumeration District 503****Mountainboro Division****Boaz City****Tract 110****Mountainboro Town****Tract 110****Sardis City****Tract 110****Remainder of Mountainboro Division****Tract 110****Wills Valley Division****HOUSE DISTRICT 30 SHALL CONSIST OF:****In Etowah County****Gadsden Division****Gadsden City****Tract 4**

SECOND EXTRAORDINARY SESSION
5th Day

159

Block Groups 1 - 5

Blocks 602 - 603

Blocks 606 - 608

Blocks 614 - 616

Blocks 618 - 624

Glencoe City

Tract 105

Rainbow City City

Tract 11

Tract 104

Southside Town

Tract 105

Remainder of Gadsden Division

Tract 4

Block Groups 1 - 3

Tract 104

Block Groups 1 - 2

Block Group 4

Block Groups 8 - 9

Tract 105

Hokes Bluff Division

Lookout Mountain Division

Gadsden City

Remainder of Lookout Mountain Division

Tract 108

Block Group 1

Enumeration District 504

Turkeytown Division

Gadsden City

Tract 107

Remainder of Turkeytown Division

Tract 107

In St. Clair County

Ashville Division

Steele Town

Remainder of Ashville Division

HOUSE DISTRICT 31 SHALL CONSIST OF:

In Coosa County

Goodwater-Kellyton Division

Rockford Division

Weogufka-Marble Valley Division

Tract 9999.99

Enumeration District 79T

Enumeration District 79U

Enumeration District 80

In Elmore County

Deatsville Division

Eclectic Division

Tallassee Division

Tallassee City

Remainder of Tallassee Division

Tract 107

Enumeration District 957

Titus Division

Wetumpka Division

Wetumpka City

Remainder of Wetumpka Division

Tract 105

Enumeration District 963

Enumeration District 964

HOUSE DISTRICT 32 SHALL CONSIST OF:

In Talladega County

Lincoln-Eastaboga Division

Munford Division

Renfroe-Lanier Division

Remainder of Renfroe-Lanier Division

Tract 112

Enumeration District 668

Talladega Division

HOUSE DISTRICT 33 SHALL CONSIST OF:

In Talladega County

Childersburg Division

**SECOND EXTRAORDINARY SESSION
5th Day**

161

Renfroe-Lanier Division

Vincent Town

Remainder of Renfroe-Lanier Division

Tract 112

Enumeration District 669

Sycamore-Winterboro Division

Sylacauga Division

HOUSE DISTRICT 34 SHALL CONSIST OF:

In Calhoun County

Anniston Division

Weaver Town

Tract 18

Blocks 202 - 218

Block Group 3

Block Groups 6 - 7

Remainder of Anniston Division

Tract 18

Block Group 1

Blocks 201 - 204

Blocks 206 - 207

Block 218

Block Groups 3 - 6

Choccolocco Division

Tract 20

Block Group 1

Block Group 9

Enumeration District 298

Enumeration District 299

Enumeration District 300

Enumeration District 301

Enumeration District 302

Enumeration District 303

Jacksonville Division

Jacksonville City

Tract 21

Remainder of Jacksonville Division

Tract 21

Tract 24

Blocks 101 - 123

Enumeration District 282

Enumeration District 283

Piedmont Division

Piedmont City

Tract 22

Tract 23

Remainder of Piedmont Division

Tract 22

Enumeration District 280A

Tract 23

Websters Chapel-Alexandria Valley Division

Glencoe City

Tract 25

Remainder of Websters Chapel-Alexandria Valley Division

Tract 25

HOUSE DISTRICT 35 SHALL CONSIST OF:

In Calhoun County

Anniston Division

Blue Mountain Town

Tract 4

Tract 16

Oxford City

Tract 10

Tract 11

Block 201

Blocks 203 - 212

Blocks 301 - 313

Block Groups 4 - 7

Tract 12

Remainder of Anniston Division

Tract 1

Tract 4

Block Groups 2 - 3

SECOND EXTRAORDINARY SESSION
5th Day

163

Blocks 504 - 505

Blocks 538 - 540

Tract 5

Tract 6

Tract 11

Block Groups 1 - 7

Enumeration District 297

Tract 12

Tract 13

Tract 14

Blocks 201 - 250

Blocks 301 - 312

Blocks 314 - 315

Block Groups 4 - 5

Tract 15

Tract 16

Tract 17

Ohatchee Division

Ohatchee Town

Tract 26

Southside Town

Tract 26

Remainder of Ohatchee Division

Tract 26

HOUSE DISTRICT 36 SHALL CONSIST OF:

In Calhoun County

Anniston Division

Anniston City

Tract 1

Block Groups 1 - 3

Tract 2

Tract 3

Tract 4

Tract 5

Tract 6

Tract 7

Tract 8

Tract 9

Tract 10

Tract 11

Tract 12

Tract 17

Hobson City Town

Tract 12

Weaver Town

Tract 17

Remainder of Anniston Division

Tract 2

Tract 4

Block Group 4

Block 550

Block Group 6

Tract 10

Tract 14

Blocks 101 - 113

Tract 19

Blocks 901 - 902

Choccolocco Division

Tract 20

Block Groups 2 - 3

HOUSE DISTRICT 37 SHALL CONSIST OF:

In Chambers County

Five Points Division

All of Clay County

All of Randolph County

HOUSE DISTRICT 38 SHALL CONSIST OF:

In Chambers County

Lafayette Division

Lanett Division

Langdale Division

Milltown Division

Waverly Division

HOUSE DISTRICT 39 SHALL CONSIST OF:

All of Cherokee County
All of Cleburne County
In DeKalb County
Collinsville Division
Crossville Division
Remainder of Crossville Division
Tract 9999.99
Enumeration District 433
Fyffe Division
Remainder of Fyffe Division
Tract 9999.99
Enumeration District 426

HOUSE DISTRICT 40 SHALL CONSIST OF:

In Bibb County
Piper-Coleanor Division
West Blocton Division
West Blocton Town
Remainder of West Blocton Division
Tract 9999.99
Enumeration District 127
Enumeration District 128
In Shelby County
Alabaster-Helena Division
Alabaster City
Helena Town
Pelham City
Remainder of Alabaster-Helena Division
Tract 303.01
Blocks 119 - 123
Blocks 126 - 127
Blocks 129 - 134
Blocks 144 - 148
Block 150
Block Groups 2 - 3
Tract 303.02

Tract 306.01

Tract 306.02

Block Group 1

Montevallo Division

Remainder of Montevallo Division

Tract 304.01

Enumeration District 19

Tract 304.02

Enumeration District 21

HOUSE DISTRICT 41 SHALL CONSIST OF:

In Shelby County

Alabaster-Helena Division

Remainder of Alabaster-Helena Division

Tract 303.01

Blocks 101 - 118

Block 125

Blocks 135 - 143

Blocks 160 - 161

Enumeration District 9

Enumeration District 10

Tract 306.02

Enumeration District 14

Calera Division

Chelsea Division

Columbiana Division

Montevallo Division

Montevallo City

Wilton Town

Remainder of Montevallo Division

Tract 304.01

Block Group 1

Tract 304.02

Enumeration District 20

Vincent Division

Wilsonville Division

HOUSE DISTRICT 42 SHALL CONSIST OF:

In St. Clair County
Ashville Division
Ashville Town
Moody Division
Pell City Division
Ragland Division
Springville Division

HOUSE DISTRICT 43 SHALL CONSIST OF:

In Jefferson County
Birmingham Division
Birmingham City
Tract 119.01
Tract 120.02
Block Group 6
Block Group 8
Fultondale City
Tract 119.01
Tract 120.02
Block Group 1
Block 201
Block 203
Blocks 209 - 223
Blocks 225 - 228
Blocks 230 - 233
Block Groups 3 - 4
Block 808
Blocks 849 - 850
Blocks 932 - 934
Blocks 939 - 947
Block 949
Block 951
Block 955
Block 967
Blocks 969 - 971
Gardendale City
Tract 119.01

Tarrant City City**Tract 119.01****Remainder of Birmingham Division****Tract 112.05****Block 107****Blocks 111 - 112****Block 130****Block 135****Block 150****Blocks 152 - 157****Block 165****Tract 119.01****Tract 120.02****Block Group 1****Block Group 3****Block Group 6****Blocks 846 - 847****Clay Division****Tract 111.03****Gardendale Division****Fultondale City****Tract 117.03****Tract 117.05****Tract 117.06****Gardendale City****Tract 117.03****Tract 117.04****Blocks 104 - 113****Tract 117.05****Tract 117.06****Morris Town****Tract 117.05****Remainder of Gardendale Division****Tract 117.03****Tract 117.05****Tract 117.06**

Kimberly-Morris Division

County Line Town

Tract 113

Kimberly Town

Tract 113

Morris Town

Tract 113

Trafford Town

Tract 113

Remainder of Kimberly-Morris Division

Tract 113

Palmerdale Division

Tract 112.06

HOUSE DISTRICT 44 SHALL CONSIST OF:

In Jefferson County

Birmingham Division

Birmingham City

Tract 111.04

Tract 112.03

Tract 112.04

Tract 118.01

Blocks 142 - 143

Blocks 163 - 164

Blocks 168 - 169

Block Groups 6 - 7

Trussville City

Tract 111.04

Remainder of Birmingham Division

Tract 111.04

Tract 112.03

Tract 112.04

Tract 112.05

Block 106

Blocks 114 - 115

Blocks 118 - 121

Blocks 126 - 128

Blocks 138 - 140

Block 151

Block 196

Tract 118.01

Block 143

Block 168

Block Groups 6 - 8

Tract 118.02

Trussville Division

Trussville City

Tract 111.05

Block Group 1

Blocks 204 - 205

Blocks 207 - 236

Block 238

Blocks 240 - 249

Block 303

Remainder of Trussville Division

Tract 111.05

Block Group 1

Blocks 201 - 203

Blocks 210 - 212

Block 246

Block 303

HOUSE DISTRICT 45 SHALL CONSIST OF:

In Jefferson County

Birmingham Division

Birmingham City

Tract 1

Tract 20

Tract 21

Tract 22

Block Group 3

Tract 53.02

Tract 59.03

Tract 59.04

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Tract 59.05

Tract 59.06

Tract 118.01

Block 141

Blocks 165 - 166

Block Group 5

Remainder of Birmingham Division

Tract 20

Tract 21

Tract 53.02

Tract 59.03

Tract 59.04

Tract 59.05

Tract 59.06

Tract 118.01

Block Group 5

HOUSE DISTRICT 46 SHALL CONSIST OF:

In Jefferson County

Birmingham Division

Birmingham City

Tract 108.03

Block Group 5

Homewood City

Tract 108.02

Block 402

Block 410

Irondale City

Tract 108.03

Block Group 5

Tract 108.05

Mountain Brook City

Tract 108.02

Block 402

Blocks 409 - 411

Blocks 418 - 429

Blocks 431 - 432

Blocks 435 - 445

Blocks 447 - 448

Blocks 450 - 453

Blocks 455 - 456

Blocks 461 - 463

Block 470

Tract 108.03

Block Group 5

Tract 108.04

Tract 108.05

Tract 128.01

Tract 129.02

Block Groups 1 - 2

Tract 129.03

Vestavia Hills City

Tract 129.02

Block Group 1

Tract 129.03

Remainder of Birmingham Division

Tract 108.02

Blocks 410 - 411

Tract 108.03

Block Group 5

Tract 108.04

Tract 108.05

Tract 128.01

Tract 129.02

Block Groups 1 - 2

Tract 129.03

Leeds Division

Leeds City

Tract 110

Blocks 226 - 228

Block 230

Blocks 233 - 235

Blocks 238 - 245

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173

Blocks 251 - 252

Block Groups 3 - 5

Tract 127.02

Mountain Brook City

Tract 128.02

Remainder of Leeds Division

Tract 110

Block 228

Block 234

Block Group 3

Block Group 5

Tract 127.02

Tract 128.02

HOUSE DISTRICT 47 SHALL CONSIST OF:

In Jefferson County

Birmingham Division

Birmingham City

Tract 23.05

Tract 23.06

Tract 47.02

Tract 56

Tract 108.03

Block Group 1

Tract 126.01

Irondale City

Tract 56

Tract 108.03

Block Group 1

Tract 126.02

Tract 127.01

Mountain Brook City

Tract 56

Tract 108.01

Remainder of Birmingham Division

Tract 126.01

Tract 126.02

Tract 127.01

Leeds Division

Leeds City

Tract 110

Block Group 1

Blocks 201 - 225

Block 237

Blocks 246 - 250

Blocks 256 - 257

Remainder of Leeds Division

Tract 110

Block Group 1

Trussville Division

Trussville City

Tract 111.05

Block 237

Block 239

Block 250

Blocks 301 - 302

Blocks 304 - 307

Remainder of Trussville Division

Tract 111.05

Block 205

Block 241

Block 244

Blocks 248 - 250

Block 304

Blocks 307 - 322

Blocks 324 - 343

Block 346

Block 350

Block Group 9

HOUSE DISTRICT 48 SHALL CONSIST OF:

In Jefferson County

Birmingham Division

Hoover City

SECOND EXTRAORDINARY SESSION
5th Day

175

Tract 129.02

Block Group 4

Tract 129.04

Vestavia Hills City

Tract 129.01

Block Groups 2 - 3

Tract 129.02

Block Group 4

Remainder of Birmingham Division

Tract 129.01

Block Groups 2 - 3

Tract 129.02

Block Group 4

Tract 129.04

Hoover Division

Hoover City

Tract 144.01

Block Group 3

Tract 144.02

Vestavia Hills City

Tract 144.01

Block Groups 2 - 3

Tract 144.02

Remainder of Hoover Division

Tract 144.01

Block Groups 2 - 3

Tract 144.02

HOUSE DISTRICT 49 SHALL CONSIST OF:

In Jefferson County

Birmingham Division

Birmingham City

Tract 34

Tract 35

Tract 36

Block Groups 1 - 6

Tract 37

Block Group 4

Block Group 6

Tract 123.01

Block Group 9

Tract 135

Brighton City

Tract 134

Fairfield City

Tract 106.03

Tract 134

Hueytown City

Tract 100.01

Midfield City

Tract 134

Pleasant Grove City

Tract 123.01

Block Group 3

Blocks 401 - 415

Block 422

Block Groups 5 - 6

Block Group 9

Remainder of Birmingham Division

Tract 35

Tract 100.01

Tract 123.01

Block 502

Block 508

Blocks 513 - 514

Blocks 549 - 550

Block Group 9

Tract 135

Maytown-Sylvan Springs Division

Birmingham City

Tract 123.02

Block Group 1

Block Group 9

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177

Maytown Town

Tract 123.02

Block Group 1

Block Group 5

Block 925

Pleasant Grove City

Tract 123.02

Block Group 1

Sylvan Springs Town

Tract 123.02

Block Group 1

Remainder of Maytown-Sylvan Springs Division

Tract 123.02

Block Group 1

Block Group 8

HOUSE DISTRICT 50 SHALL CONSIST OF:

In Jefferson County

Birmingham Division

Bessemer City

Tract 100.02

Tract 104.02

Tract 138.01

Block Group 7

Tract 141.03

Tract 141.05

Tract 143.01

Block Group 4

Hueytown City

Tract 100.02

Tract 139.02

Remainder of Birmingham Division

Tract 100.02

Tract 104.02

Tract 138.01

Block Group 7

Tract 139.02

Tract 141.03

Tract 141.05

Tract 143.01

Block Group 4

Block 601

Concord-Hopkins Division

Hueytown City

Tract 140

Remainder of Concord-Hopkins Division

Tract 140

Block Groups 1 - 2

Block Group 9

Graysville-Adamsville Division

Adamsville City

Tract 124.03

Maytown Town

Tract 124.03

Remainder of Graysville-Adamsville Division

Tract 124.03

Greenwood Division

Remainder of Greenwood Division

Tract 142.02

Tract 142.03

Blocks 101 - 131

Block Group 9

Enumeration District 126

Maytown-Sylvan Springs Division

Remainder of Maytown-Sylvan Springs Division

Tract 123.02

Enumeration District 115

Enumeration District 116

Enumeration District 117

Enumeration District 118

North Johns Division

North Johns Town

Tract 141.02

Remainder of North Johns Division

Tract 141.02

West Jefferson Division

West Jefferson Town

Tract 122

Remainder of West Jefferson Division

Tract 122

HOUSE DISTRICT 51 SHALL CONSIST OF:

In Jefferson County

Birmingham Division

Birmingham City

Tract 124.02

Block Group 1

Block 216

Block 221

Block Group 4

Block Group 9

Tract 125

Brookside Town

Tract 120.01

Block Group 7

Maytown Town

Tract 125

Mulga Town

Tract 125

Remainder of Birmingham Division

Tract 120.01

Block Group 7

Tract 124.02

Block 216

Blocks 221 - 222

Blocks 401 - 404

Blocks 410 - 415

Blocks 417 - 420

Blocks 422 - 426

Block Group 5

Block Group 9**Tract 125****Brookside Division****Brookside Town****Tract 116****Cardiff Town****Tract 116****Remainder of Brookside Division****Tract 116****Gardendale Division****Kimberly Town****Tract 117.04****Block 117****Morris Town****Tract 117.04****Block 118****Remainder of Gardendale Division****Tract 117.04****Blocks 101 - 104****Block 106****Block 108****Blocks 117 - 120****Enumeration District 102****Graysville-Adamsville Division****Adamsville City****Tract 121.03****Tract 121.04****Graysville City****Tract 121.03****Tract 121.04****Remainder of Graysville-Adamsville Division****Tract 121.03****Tract 121.04****Robbins Crossroads Division****Sumiton Town****Tract 115**

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Remainder of Robbins Crossroads Division

Tract 115

Warrior Division

Trafford Town

Tract 114

Warrior City

Tract 114

Remainder of Warrior Division

Tract 114

HOUSE DISTRICT 52 SHALL CONSIST OF:

In Jefferson County

Birmingham Division

Birmingham City

Tract 37

Block Groups 2 - 3

Tract 38.02

Block Groups 4 - 5

Blocks 608 - 616

Blocks 620 - 623

Blocks 625 - 626

Tract 38.03

Tract 39

Block Group 1

Block Group 3

Tract 40

Blocks 108 - 118

Blocks 122 - 123

Block Groups 2 - 8

Tract 52

Tract 57.02

Tract 130.01

Tract 130.02

Remainder of Birmingham Division

Tract 130.01

Tract 130.02

HOUSE DISTRICT 53 SHALL CONSIST OF:**In Jefferson County****Birmingham Division****Birmingham City****Tract 28.01****Tract 28.02****Tract 29****Tract 30.02****Tract 40****Block 104****Block 106****Blocks 120 - 121****Tract 41****Tract 42****Tract 44****Tract 49****Blocks 116 - 119****Block 205****Blocks 402 - 413****Block Group 7****Blocks 801 - 820****Tract 50****Tract 51.01****Tract 51.02****Tract 58****Blocks 908 - 911****Homewood City****Tract 50****Tract 51.02****Tract 58****Block 916****Remainder of Birmingham Division****Tract 50****Tract 51.02****HOUSE DISTRICT 54 SHALL CONSIST OF:****In Jefferson County****Birmingham Division**

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5th Day

183

Birmingham City

Tract 6

Tract 7

Blocks 206 - 209

Blocks 214 - 217

Blocks 219 - 224

Block Group 3

Tract 14

Tract 15

Tract 16

Tract 17

Tract 25

Tract 26.01

Tract 26.02

Tract 27

Tract 45

Tract 46

Tract 47.01

Tract 47.03

Tract 48

Block 108

Blocks 112 - 113

Blocks 125 - 128

Tract 49

Blocks 105 - 115

Block 127

Block 401

HOUSE DISTRICT 55 SHALL CONSIST OF:

In Jefferson County

Birmingham Division

Birmingham City

Tract 48

Blocks 101 - 104

Block 107

Block 109

Block Groups 2 - 3

Tract 49**Blocks 207 - 210****Block 232****Blocks 235 - 236****Block Group 3****Tract 58****Block 907****Block 912****Homewood City****Tract 58****Block 913****Block 925****Tract 107.01****Tract 107.02****Tract 107.03****Tract 107.04****Tract 107.05****Tract 107.06****Tract 129.01****Block Group 2****Tract 129.02****Block Groups 1 - 2****Mountain Brook City****Tract 107.03****Remainder of Birmingham Division****Tract 49****Block Group 3****Tract 107.03****Tract 107.04****Tract 107.05****Tract 107.06****Greenwood Division****Bessemer City****Tract 142.04****Remainder of Greenwood Division****Tract 142.04**

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Hoover Division

Bessemer City

Tract 143.02

Block Group 2

Birmingham City

Tract 143.02

Block Group 1

Homewood City

Tract 144.01

Block 106

Block 140

Blocks 142 - 146

Hoover City

Tract 144.03

Lipscomb City

Tract 143.02

Block Group 3

Vestavia Hills City

Tract 144.03

Remainder of Hoover Division

Tract 143.02

Block Group 1

Block Group 3

Blocks 903 - 905

Tract 144.01

Block 106

Blocks 109 - 114

Block 119

Blocks 124 - 125

Blocks 140 - 143

Blocks 145 - 146

Tract 144.03

HOUSE DISTRICT 56 SHALL CONSIST OF:

In Jefferson County

Birmingham Division

Bessemer City

Tract 101

Tract 102

Tract 103.01

Block Groups 5 - 7

Tract 103.02

Tract 104.01

Tract 138.01

Block Groups 2 - 3

Block Group 6

Tract 138.02

Tract 141.04

Tract 143.01

Block Group 3

Blocks 603 - 606

Blocks 609 - 612

Block 620

Brighton City

Tract 101

Hueytown City

Tract 123.01

Block Group 7

Tract 139.01

Lipscomb City

Tract 103.02

Midfield City

Tract 136.02

Remainder of Birmingham Division

Tract 101

Tract 102

Tract 103.01

Block Groups 5 - 6

Tract 103.02

Tract 104.01

Tract 123.01

Block Group 7

Tract 136.02

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Tract 138.01

Block Groups 2 - 6

Tract 138.02

Tract 139.01

Tract 141.04

Tract 143.01

Block Group 3

Blocks 602 - 604

Block 612

Block 620

Hoover Division

Remainder of Hoover Division

Tract 143.02

Block 901

Blocks 909 - 910

HOUSE DISTRICT 57 SHALL CONSIST OF:

In Jefferson County

Birmingham Division

Bessemer City

Tract 133

Tract 137

Birmingham City

Tract 36

Block Group 7

Tract 38.01

Tract 38.02

Block 624

Block 627

Blocks 630 - 631

Block Group 8

Tract 57.01

Tract 131

Brighton City

Tract 133

Tract 136.01

Tract 137

Block Groups 1 - 2

Blocks 303 - 310

Block 312

Blocks 315 - 316

Blocks 318 - 319

Blocks 321 - 322

Blocks 324 - 325

Block 327

Blocks 330 - 338

Block 340

Brownville City

Tract 105

Tract 131

Tract 133

Fairfield City

Tract 106.01

Tract 106.02

Tract 132

Lipscomb City

Tract 105

Tract 133

Midfield City

Tract 106.02

Tract 132

Tract 133

Tract 136.01

Tract 137

Roosevelt City City

Tract 133

Tract 137

Remainder of Birmingham Division

Tract 57.01

Tract 105

Tract 106.01

Tract 131

Tract 132

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Tract 133

Tract 136.01

Tract 137

Block Groups 1 - 2

Block 303

Block Group 4

HOUSE DISTRICT 58 SHALL CONSIST OF:

In Jefferson County

Birmingham Division

Birmingham City

Tract 2

Tract 3

Tract 5

Blocks 301 - 303

Block 315

Block 321

Blocks 401 - 404

Blocks 406 - 414

Block 416

Block 418

Tract 18.01

Tract 18.02

Tract 19.01

Tract 19.02

Tract 22

Block Groups 1 - 2

Block Group 4

Tract 23.03

Tract 23.04

Tract 24

Tract 53.01

Tract 119.02

Tract 119.03

Irondale City

Tract 22

Tarrant City City

Tract 109

Block Groups 1 - 7

Tract 119.02

Tract 119.03

Remainder of Birmingham Division

Tract 22

Tract 119.02

HOUSE DISTRICT 59 SHALL CONSIST OF:

In Jefferson County

Birmingham Division

Birmingham City

Tract 4

Tract 5

Block Groups 1 - 2

Block 304

Blocks 307 - 309

Block 311

Blocks 317 - 320

Block Groups 5 - 6

Tract 7

Block Group 1

Block Groups 4 - 7

Tract 8

Tract 9

Tract 10

Blocks 411 - 413

Block 423

Tract 54

Tract 55

Tract 120.01

Block Group 9

Tract 120.02

Block Group 5

Block Group 9

Fultondale City

Tract 55

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Tarrant City City

Tract 109

Block Group 8

Remainder of Birmingham Division

Tract 8

Tract 55

Tract 120.01

Block Group 6

Block Group 9

Tract 120.02

Block Group 2

Block Group 5

Block 930

Block 939

Block 949

Block 951

Blocks 966 - 967

HOUSE DISTRICT 60 SHALL CONSIST OF:

In Jefferson County

Birmingham Division

Birmingham City

Tract 10

Block Group 3

Block 402

Blocks 405 - 407

Blocks 409 - 410

Block 418

Block 421

Blocks 424 - 425

Block 427

Tract 11

Tract 12

Tract 30.01

Tract 31

Tract 32

Tract 33

Tract 37

Block Group 1

Block Group 5

Tract 39

Block Group 2

Block Group 4

Tract 124.01

Tract 124.02

Block 206

Remainder of Birmingham Division

Tract 11

Tract 124.01

Tract 124.02

Blocks 206 - 207

Block 211

Blocks 223 - 228

HOUSE DISTRICT 61 SHALL CONSIST OF:

In Tuscaloosa County

Tuscaloosa Division

Northport City

Tract 104.01

Block Groups 1 - 2

Tuscaloosa City

Tract 104.01

Block Groups 1 - 2

Tract 115

Tract 116

Tract 117

Tract 118

Tract 119

Tract 124

Tract 125

Blocks 103 - 107

Block 141

Remainder of Tuscaloosa Division

Tract 104.01

Block Group 2

Tract 116

Tract 117

Tract 119

Tract 124

Tract 125

Blocks 102 - 107

Block 111

Block 141

HOUSE DISTRICT 62 SHALL CONSIST OF:

In Tuscaloosa County

Abernant Division

Vance Town

Tract 106

Remainder of Abernant Division

Tract 106

Big Sandy-Duncanville Division

Moundville Town

Tract 107

Remainder of Big Sandy-Duncanville Division

Tract 107

Brookwood Division

Brookwood Town

Tract 106

Tuscaloosa City

Tract 106

Remainder of Brookwood Division

Tract 106

Coaling-Vance Division

Vance Town

Tract 107

Remainder of Coaling-Vance Division

Tract 107

Coker Division

Northport City

Tract 103

Block 125

Block 132

Block 149

Tuscaloosa City

Tract 103

Block 125

Blocks 132 - 135

Block 149

Remainder of Coker Division

Tract 103

Block 125

Block 132

Blocks 150 - 154

Blocks 156 - 159

Blocks 161 - 166

Blocks 168 - 169

Fosters Division

Tract 103

Tuscaloosa Division

Tuscaloosa City

Tract 108

Blocks 205 - 206

Blocks 298 - 299

Block Group 4

Tract 122

Tract 123

Tract 125

Block Group 2

Remainder of Tuscaloosa Division

Tract 108

Block 207

Blocks 209 - 213

Blocks 215 - 216

Block 218

Blocks 222 - 224

Blocks 227 - 229

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Block 231
Blocks 236 - 237
Block 239
Blocks 298 - 299
Blocks 301 - 308
Blocks 310 - 318
Block 340
Block 351
Block 398
Block Group 4

Tract 123

Tract 125

Blocks 108 - 110
Blocks 112 - 120
Blocks 123 - 132
Block 134
Blocks 152 - 154
Block Group 2

Enumeration District 673

HOUSE DISTRICT 63 SHALL CONSIST OF:

In Tuscaloosa County

Tuscaloosa Division

Northport City

Tract 104.02

Tuscaloosa City

Tract 104.02

Tract 105

Tract 108

Block Group 1

Block 203

Block 235

Blocks 322 - 324

Block 399

Block Group 9

Tract 109

Tract 110

Tract 111

Tract 112

Tract 113

Tract 114

Tract 120

Tract 121

Remainder of Tuscaloosa Division

Tract 104.02

Tract 105

Tract 108

Block Group 1

Block 235

Blocks 328 - 329

Block 399

Block Group 9

Tract 109

HOUSE DISTRICT 64 SHALL CONSIST OF:

All of Conecuh County

All of Monroe County

HOUSE DISTRICT 65 SHALL CONSIST OF:

In Clarke County

Coffeeville Division

Fulton Division

Grove Hill Division

Jackson Northwest Division

Jackson Southeast Division

All of Washington County

HOUSE DISTRICT 66 SHALL CONSIST OF:

In Choctaw County

Butler Division

Remainder of Butler Division

Tract 9999.99

Enumeration District 334T

Enumeration District 334U

Gilbertown-Toxey Division

Gilbertown Town

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Tract 9999.99

Enumeration District 336

Toxey Town

Tract 9999.99

Enumeration District 335

Enumeration District 337B

Remainder of Gilberttown-Toxey Division

Tract 9999.99

Enumeration District 337A

Silas Division

In Clarke County

Thomasville Division

All of Marengo County

HOUSE DISTRICT 67 SHALL CONSIST OF:

In Choctaw County

Butler Division

Butler City

Remainder of Butler Division

Tract 9999.99

Enumeration District 333A

Gilberttown-Toxey Division

Remainder of Gilberttown-Toxey Division

Tract 9999.99

Enumeration District 338T

Enumeration District 338U

Lisman Division

All of Greene County

All of Sumter County

HOUSE DISTRICT 68 SHALL CONSIST OF:

In Dallas County

Carlowville Division

Orrville Division

Safford Division

Sardis Division

Tract 9999.99

Enumeration District 63

All of Hale County

All of Perry County

HOUSE DISTRICT 69 SHALL CONSIST OF:

In Dallas County

Craig-Tyler Division

Sardis Division

Tract 9999.99

Enumeration District 61

Enumeration District 62

All of Lowndes County

All of Wilcox County

HOUSE DISTRICT 70 SHALL CONSIST OF:

In Dallas County

Selma Division

HOUSE DISTRICT 71 SHALL CONSIST OF:

All of Autauga County

In Chilton County

Clanton Division

Remainder of Clanton Division

Tract 602

Enumeration District 517

Verbena Division

Tract 607

Enumeration District 519

Enumeration District 520

Enumeration District 521

HOUSE DISTRICT 72 SHALL CONSIST OF:

In Bibb County

Centreville-Brent Division

West Blocton Division

Remainder of West Blocton Division

Tract 9999.99

Enumeration District 129

In Chilton County

Clanton Division

Clanton City

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Remainder of Clanton Division

Tract 601

Enumeration District 515T

Enumeration District 515U

Enumeration District 516

Tract 602

Enumeration District 518

Isabella-Pletcher Division

Tract 606

Enumeration District 522

Enumeration District 527

Jemison Division

Maplesville Division

Mineral Springs Division

HOUSE DISTRICT 73 SHALL CONSIST OF:

In Montgomery County

Montgomery Division

Montgomery City

Tract 13

Block Groups 1 - 2

Tract 14

Blocks 101 - 102

Blocks 107 - 122

Block Groups 2 - 3

Blocks 401 - 412

Blocks 508 - 520

Tract 15

Blocks 111 - 113

Blocks 118 - 122

Block Group 2

Blocks 301 - 308

Tract 16

Block Groups 2 - 6

Tract 20

Tract 21

Tract 22

Block Groups 1 - 2**Tract 28****Tract 33****Tract 54.05****Tract 56.02****HOUSE DISTRICT 74 SHALL CONSIST OF:****In Montgomery County****Montgomery Division****Montgomery City****Tract 5****Tract 16****Block Group 1****Tract 17****Tract 18****Tract 19****Tract 26****Tract 27****Tract 53.01****Tract 53.02****Tract 54.02****Tract 54.03****HOUSE DISTRICT 75 SHALL CONSIST OF:****In Montgomery County****Hope Hull Division****Remainder of Hope Hull Division****Montgomery Division****Montgomery City****Tract 29****Tract 31****Tract 32****Tract 54.01****Tract 54.04****Tract 56.03****Remainder of Montgomery Division****Tract 54.01****Tract 54.04**

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Tract 56.03

Mount Meigs Division

Tract 55

Pike Road Division

Montgomery City

Tract 56.01

Remainder of Pike Road Division

Tract 56.01

Pine Level Division

Tract 57

Ramer Division

Tract 58

HOUSE DISTRICT 76 SHALL CONSIST OF:

In Elmore County

Elmore Division

Tallassee Division

Remainder of Tallassee Division

Tract 107

Enumeration District 958

Wetumpka Division

Remainder of Wetumpka Division

Tract 105

Enumeration District 965T

Enumeration District 965U

Enumeration District 966

In Montgomery County

Montgomery Division

Montgomery City

Tract 4

Blocks 101 - 103

Blocks 105 - 106

Block 109

Blocks 111 - 113

Block 115

Blocks 117 - 118

Blocks 204 - 213

Block Group 3

Block 408

Blocks 410 - 414

Block Groups 5 - 6

Block 823

Tract 9

Tract 10

Block Group 1

Tract 25

Block Group 2

Tract 51.01

Tract 51.03

Tract 60.01

Block Groups 1 - 2

Block 901

Blocks 904 - 924

Block 931

Remainder of Montgomery Division

Tract 51.01

Tract 60.01

HOUSE DISTRICT 77 SHALL CONSIST OF:

In Montgomery County

Montgomery Division

Montgomery City

Tract 1

Tract 2

Tract 3

Block Groups 1 - 5

Block 655

Block Groups 8 - 9

Tract 4

Block 114

Blocks 201 - 202

Block 407

Block Group 7

Blocks 812 - 817

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Blocks 820 - 822

Tract 6

Tract 7

Tract 11

Block Groups 2 - 4

Blocks 502 - 503

Blocks 505 - 506

Blocks 509 - 514

Block 520

Block 524

Block 527

Blocks 529 - 530

Blocks 604 - 605

Block Group 8

Tract 12

Tract 13

Block Group 4

Tract 14

Blocks 103 - 106

Blocks 413 - 418

Blocks 501 - 507

Tract 15

Blocks 106 - 107

Blocks 114 - 117

Block 124

Blocks 309 - 315

Blocks 317 - 321

Block Groups 4 - 5

Block Group 7

Tract 25

Block Group 1

Tract 51.02

Remainder of Montgomery Division

Tract 3

Tract 51.02

HOUSE DISTRICT 78 SHALL CONSIST OF:**In Montgomery County****Hope Hull Division****Montgomery City****Tract 59.01****Tract 59.02****Montgomery Division****Montgomery City****Tract 10****Block Groups 2 - 9****Tract 11****Block Group 1****Block 528****Block 601****Block 615****Blocks 625 - 626****Blocks 628 - 629****Block 632****Block 634****Block Group 7****Tract 13****Block Group 3****Tract 22****Block Groups 3 - 9****Tract 23****Tract 24****Tract 30****Tract 60.01****Blocks 902 - 903****Blocks 988 - 989****Tract 60.02****Remainder of Montgomery Division****Tract 60.02****HOUSE DISTRICT 79 SHALL CONSIST OF:****In Lee County****Auburn-Opelika Division****Auburn City**

Tract 401

Tract 402

Tract 403

Tract 404

Tract 405

Tract 406

Tract 407

Tract 408

Tract 409

Tract 411

Tract 417

Opelika City

Tract 405

Remainder of Auburn-Opelika Division

Tract 404

Tract 405

Tract 406

Tract 409

Beauregard-Marvyn Division

Auburn City

Tract 421

Block Group 3

Remainder of Beauregard-Marvyn Division

Tract 421

Block Groups 2 - 3

Enumeration District 536

Enumeration District 538

Enumeration District 539

Enumeration District 540

Loachapoka-Roxana Division

HOUSE DISTRICT 80 SHALL CONSIST OF:

In Lee County

Auburn-Opelika Division

Opelika City

Tract 411

Tract 412

Tract 413

Tract 414

Tract 415

Tract 416

Tract 417

Remainder of Auburn-Opelika Division

Tract 411

Tract 412

Tract 417

Beauregard-Marvyn Division

Auburn City

Tract 421

Block Group 1

Remainder of Beauregard-Marvyn Division

Tract 421

Block Group 1

Enumeration District 537

Beulah Division

Smiths-Salem Division

HOUSE DISTRICT 81 SHALL CONSIST OF:

All of Tallapoosa County

HOUSE DISTRICT 82 SHALL CONSIST OF:

All of Bullock County

All of Macon County

HOUSE DISTRICT 83 SHALL CONSIST OF:

In Russell County

Phenix City Division

Phenix City City

Remainder of Phenix City Division

Tract 304

Tract 305

Tract 306

Tract 308

Tract 309.01

Tract 309.02

Block Group 1

Block Group 9

Enumeration District 377

Enumeration District 378

HOUSE DISTRICT 84 SHALL CONSIST OF:

All of Barbour County

In Russell County

Cottonton-Seale Division

Crawford Division

Hurtsboro Division

Phenix City Division

Remainder of Phenix City Division

Tract 309.02

Enumeration District 376

HOUSE DISTRICT 85 SHALL CONSIST OF:

All of Henry County

In Houston County

Columbia Division

Columbia Town

Tract 417

Remainder of Columbia Division

Tract 417

Dothan Division

Cowarts Town

Tract 416

Dothan City

Tract 406

Tract 412

Tract 413

Tract 414

Tract 415

Tract 416

Kinsey Town

Tract 415

Tract 416

Webb Town

Tract 416

Remainder of Dothan Division**Tract 414****Tract 415****Tract 416****Gordon Division****Gordon Town****Tract 418****Remainder of Gordon Division****Tract 418****HOUSE DISTRICT 86 SHALL CONSIST OF:****In Houston County****Cottonwood Division****Remainder of Cottonwood Division****Tract 420****Enumeration District 768A****Enumeration District 770A****Dothan Division****Ashford Town****Tract 419****Avon Town****Tract 419****Cowarts Town****Tract 419****Dothan City****Tract 402****Block Group 4****Tract 403****Tract 404****Tract 405****Tract 407****Tract 408****Tract 409****Tract 410****Tract 411****Tract 419****Taylor Town**

Tract 408

Remainder of Dothan Division

Tract 403

Tract 408

Tract 409

Tract 419

HOUSE DISTRICT 87 SHALL CONSIST OF:

In Geneva County

Bellwood-Coffee Springs Division

Geneva Division

Hartford Division

Samson Division

Slocomb Division

Malvern Town

Slocomb Town

Remainder of Slocomb Division

Tract 505

Tract 506

In Houston County

Cottonwood Division

Cottonwood Town

Tract 420

Remainder of Cottonwood Division

Tract 420

Enumeration District 767B

Enumeration District 769A

Dothan Division

Dothan City

Tract 401

Tract 402

Block Groups 1 - 3

Block Groups 6 - 7

Block Group 9

Remainder of Dothan Division

Tract 401

Tract 402

Block Groups 1 - 2

Block Groups 6 - 7

Block Group 9

Madrid Division

Dothan City

Tract 421

Madrid Town

Tract 421

Taylor Town

Tract 421

Remainder of Madrid Division

Tract 421

HOUSE DISTRICT 88 SHALL CONSIST OF:

In Dale County

Daleville Division

Clayhatchee Town

Tract 212

Daleville City

Tract 211

Tract 212

Enterprise City

Tract 211

Level Plains Town

Tract 211

Remainder of Daleville Division

Tract 211

Enumeration District 679A

Enumeration District 680

Enumeration District 681

Enumeration District 682

Enumeration District 683

Tract 212

Echo Division

Fort Rucker Division

Daleville City

Tract 209

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Newton Town

Tract 210

Remainder of Fort Rucker Division

Tract 209

Enumeration District 667

Enumeration District 668

Tract 210

Newton-Midland City Division

Dothan City

Tract 213

Tract 214

Grimes Town

Tract 214

Midland City Town

Tract 213

Tract 214

Napier Field Town

Tract 214

Newton Town

Tract 213

Tract 214

Pinckard Town

Tract 213

Tract 214

Remainder of Newton-Midland City Division

Tract 213

Tract 214

Ozark Division

Newton Town

Tract 203

Tract 210

Ozark City

Tract 205

Blocks 101 - 102

Blocks 118 - 129

Block Group 2

Tract 207

Blocks 147 - 149

Blocks 213 - 217

Blocks 219 - 221

Blocks 306 - 315

Blocks 318 - 324

Block Group 4

Tract 208

Remainder of Ozark Division

Tract 201

Enumeration District 654

Tract 203

Enumeration District 662

Enumeration District 663

Tract 205

Tract 207

Enumeration District 731

Tract 208

Enumeration District 661A

HOUSE DISTRICT 89 SHALL CONSIST OF:

In Dale County

Ozark Division

Ariton Town

Ozark City

Tract 201

Tract 204

Tract 205

Blocks 103 - 117

Tract 206

Tract 207

Blocks 101 - 146

Blocks 201 - 212

Block 218

Blocks 301 - 305

Blocks 316 - 317

Remainder of Ozark Division

Tract 201

Enumeration District 655A

Tract 204

Block Group 1

Enumeration District 656

Enumeration District 657

Enumeration District 658A

Tract 207

Enumeration District 659

Tract 208

Enumeration District 660

All of Pike County

HOUSE DISTRICT 90 SHALL CONSIST OF:

All of Butler County

All of Crenshaw County

HOUSE DISTRICT 91 SHALL CONSIST OF:

All of Coffee County

HOUSE DISTRICT 92 SHALL CONSIST OF:

All of Covington County

HOUSE DISTRICT 93 SHALL CONSIST OF:

All of Escambia County

HOUSE DISTRICT 94 SHALL CONSIST OF:

In Baldwin County

Daphne Division

Daphne City

Tract 107

Tract 108

Block Groups 1 - 2

Remainder of Daphne Division

Tract 107

Blocks 101 - 106

Blocks 111 - 122

Block 129

Blocks 131 - 133

Blocks 137 - 145

Blocks 151 - 192

Blocks 194 - 199

Blocks 201 - 254

Enumeration District 411

Enumeration District 412

Enumeration District 413

Enumeration District 414

Enumeration District 444

Tract 108

Block Groups 1 - 2

Fairhope Division

Foley Division

HOUSE DISTRICT 95 SHALL CONSIST OF:

In Baldwin County

Bay Minette Division

Daphne Division

Remainder of Daphne Division

Tract 107

Blocks 107 - 110

Blocks 123 - 128

Block 130

Blocks 134 - 136

Blocks 146 - 150

Elberta Division

Robertsdale Division

Stockton Division

Summerdale Division

HOUSE DISTRICT 96 SHALL CONSIST OF:

In Mobile County

Mobile Division

Chickasaw City

Tract 38.02

Tract 50

Tract 51

Tract 52

Tract 53

Tract 54

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Creola Town

Tract 38.02

Tract 57

Mobile City

Tract 38.02

Tract 38.99

Tract 52

Tract 53

Tract 54

Tract 56

Saraland City

Tract 38.02

Tract 54

Tract 55

Tract 56

Tract 57

Block Group 9

Tract 61

Satsuma City

Tract 56

Tract 57

Remainder of Mobile Division

Tract 38.02

Tract 54

Tract 56

Tract 57

Tract 61

Block 227

Block 801

Block 827

Blocks 829 - 834

Block 901

Blocks 904 - 906

Block 913

Blocks 918 - 919

Block 924

Block 944

Block 958

Block 964

Block 970

Block 976

Blocks 978 - 982

Mount Vernon Division

HOUSE DISTRICT 97 SHALL CONSIST OF:

In Mobile County

Mobile Division

Mobile City

Tract 9.01

Block Group 3

Tract 9.02

Tract 9.03

Tract 14

Block Group 4

Blocks 501 - 512

Blocks 514 - 515

Block Group 6

Tract 15.01

Tract 23.01

Block Groups 1 - 2

Blocks 302 - 303

Blocks 308 - 309

Tract 23.02

Tract 24

Tract 25.01

Tract 25.02

Tract 27

Tract 28

Tract 29

HOUSE DISTRICT 98 SHALL CONSIST OF:

In Mobile County

Mobile Division

Chickasaw City

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Tract 45

Mobile City

Tract 26

Blocks 101 - 102

Block 115

Block 601

Blocks 604 - 605

Tract 39.01

Tract 39.02

Tract 45

Block 101

Blocks 124 - 125

Tract 49

Prichard City

Tract 34.01

Block 122

Tract 34.02

Tract 39.01

Tract 39.02

Tract 40

Tract 41

Tract 42

Block Group 1

Blocks 201 - 203

Blocks 210 - 219

Block Group 3

Tract 45

Tract 46

Block Groups 1 - 2

Tract 47

Tract 48

Tract 49

Tract 50

Tract 61

HOUSE DISTRICT 99 SHALL CONSIST OF:
In Mobile County

Mobile Division**Mobile City****Tract 5****Block Groups 1 - 2****Block Groups 4 - 7****Tract 6****Tract 7.01****Tract 7.02****Tract 8****Tract 12.01****Tract 26****Blocks 103 - 114****Block Groups 2 - 5****Block 602****Tract 38.01****Tract 43****Tract 44****Tract 45****Block 113****Blocks 128 - 129****Block Group 2****Prichard City****Tract 12.01****Tract 42****Blocks 204 - 209****Tract 43****Tract 44****Tract 46****Block Group 3****Remainder of Mobile Division****Tract 12.01****Tract 43****HOUSE DISTRICT 100 SHALL CONSIST OF:****In Mobile County****Mobile Division****Mobile City**

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Tract 34.03

Tract 34.04

Tract 34.05

Blocks 101 - 102

Blocks 105 - 115

Blocks 117 - 126

Blocks 129 - 134

Tract 34.06

Blocks 110 - 122

Blocks 128 - 131

Tract 36.01

Tract 36.02

Tract 36.03

Tract 37.01

Tract 37.02

Block Group 3

Remainder of Mobile Division

Tract 34.03

Blocks 501 - 503

Blocks 907 - 908

Block 911

Blocks 913 - 914

Block 930

Tanner-Williams Division

Tract 64

Block 856

HOUSE DISTRICT 101 SHALL CONSIST OF:

In Mobile County

Mobile Division

Mobile City

Tract 31

Block 101

Block 103

Block 105

Blocks 108 - 110

Blocks 116 - 118

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Blocks 124 - 129

Block Group 3

Tract 32.01

Tract 32.02

Tract 32.03

Tract 33.01

Tract 33.02

Tract 34.01

Tract 34.02

Tract 34.06

Blocks 102 - 105

Blocks 107 - 108

Blocks 125 - 127

Tract 35.01

Tract 35.02

Tract 61

Remainder of Mobile Division

Tract 34.01

Block 122

Tract 34.02

Block 127

Tract 61

Blocks 212 - 213

Block 977

HOUSE DISTRICT 102 SHALL CONSIST OF:

In Mobile County

Citronelle Division

Mobile Division

Mobile City

Tract 68

Remainder of Mobile Division

Tract 34.03

Block Group 4

Block 504

Block 510

Block 906

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Tract 61

Blocks 802 - 826

Block 912

Block 972

Enumeration District 571

Tract 68

Blocks 210 - 211

Blocks 230 - 234

Block Group 3

Semmes Division

Tanner-Williams Division

Tract 64

Block Groups 1 - 2

Blocks 301 - 320

Blocks 322 - 323

Block Group 4

Blocks 801 - 819

Blocks 821 - 823

Blocks 831 - 853

Block 855

Block 901

Blocks 904 - 906

Block 915

Blocks 990 - 991

Enumeration District 542T

Enumeration District 542U

Enumeration District 543

HOUSE DISTRICT 103 SHALL CONSIST OF:

In Mobile County

Mobile Division

Mobile City

Tract 1

Tract 2

Tract 3

Tract 4.01

Tract 4.02

Tract 5
 Block Group 3
Tract 9.01
 Block Groups 1 - 2
Tract 10.01
Tract 10.02
Tract 11
Tract 12.02
Tract 12.99
Tract 13.01
Tract 13.02
Tract 14
 Block Groups 1 - 3
Tract 15.02
Tract 16
Tract 17
Tract 18
 Blocks 101 - 102
 Blocks 104 - 114
 Blocks 117 - 119
 Blocks 121 - 124
Tract 19.01
 Blocks 101 - 102
 Block 110
Tract 19.02
 Blocks 101 - 105
 Blocks 108 - 110
 Block 116
 Blocks 120 - 121

HOUSE DISTRICT 104 SHALL CONSIST OF:

In Mobile County
 Mobile Division
 Mobile City
 Tract 18
 Block Group 2
 Tract 19.01

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Blocks 106 - 108

Blocks 111 - 115

Block Group 2

Tract 19.02

Block 111

Blocks 113 - 115

Block 117

Block Group 2

Blocks 302 - 309

Blocks 312 - 315

Tract 20

Tract 21

Blocks 101 - 109

Blocks 112 - 114

Blocks 117 - 118

Block Groups 2 - 4

Tract 22

Tract 23.01

Blocks 304 - 306

Blocks 310 - 311

Tract 30

Tract 31

Blocks 201 - 202

Blocks 206 - 212

Blocks 215 - 216

Blocks 220 - 222

Blocks 225 - 231

Tract 37.02

Block Groups 1 - 2

Remainder of Mobile Division

Tract 68

Block Group 1

Blocks 201 - 209

Block 212

Blocks 214 - 223

Theodore Division

Tract 69

Block 101

Block 120

Blocks 122 - 126

Block 128

Blocks 130 - 135

Blocks 143 - 145

Blocks 147 - 148

Blocks 151 - 152

Tract 70

Blocks 101 - 127

Blocks 137 - 140

Block Group 9

Tract 71

Enumeration District 557

Enumeration District 558

Enumeration District 559

HOUSE DISTRICT 105 SHALL CONSIST OF:

In Mobile County

Bayou La Batre Division

Grand Bay Division

Theodore Division

Tract 69

Blocks 102 - 107

Blocks 117 - 118

Block 149

Block 153

Block Groups 2 - 3

Tract 71

Block Group 1

Section 2. The Senate of the Alabama Legislature shall consist of 35 members and the state is hereby divided into 35 senatorial districts for the election of one senator from each district at-large. Each senator shall reside in the district he represents. Each senatorial district shall be composed of districts into which the state is divided by section 1 of this act for the purpose of electing members of the House of Representatives of the Alabama Legislature as follows:

SECOND EXTRAORDINARY SESSION
5th Day

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District	1	House District Nos.	1, 2 and 3
District	2	House District Nos.	4, 5 and 6
District	3	House District Nos.	7, 8 and 9
District	4	House District Nos.	10, 11 and 12
District	5	House District Nos.	13, 14 and 15
District	6	House District Nos.	16, 17 and 18
District	7	House District Nos.	19, 20 and 21
District	8	House District Nos.	22, 23 and 24
District	9	House District Nos.	25, 26 and 27
District	10	House District Nos.	28, 29 and 30
District	11	House District Nos.	31, 32 and 33
District	12	House District Nos.	34, 35 and 36
District	13	House District Nos.	37, 38 and 39
District	14	House District Nos.	40, 41 and 42
District	15	House District Nos.	43, 44 and 45
District	16	House District Nos.	46, 47 and 48
District	17	House District Nos.	49, 50 and 51
District	18	House District Nos.	52, 53 and 54
District	19	House District Nos.	55, 56 and 57
District	20	House District Nos.	58, 59 and 60
District	21	House District Nos.	61, 62 and 63
District	22	House District Nos.	64, 65 and 66
District	23	House District Nos.	67, 68 and 69
District	24	House District Nos.	70, 71 and 72
District	25	House District Nos.	73, 74 and 75
District	26	House District Nos.	76, 77 and 78
District	27	House District Nos.	79, 80 and 81
District	28	House District Nos.	82, 83 and 84
District	29	House District Nos.	85, 86 and 87
District	30	House District Nos.	88, 89 and 90
District	31	House District Nos.	91, 92 and 93
District	32	House District Nos.	94, 95 and 96
District	33	House District Nos.	97, 98 and 99
District	34	House District Nos.	100, 101 and 102
District	35	House District Nos.	103, 104 and 105

Section 3. All laws or parts of laws which conflict with this act are

hereby repealed, and Act No. 82-629, 1982 First Special Session is hereby expressly repealed and shall have no other effect of law.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. The provisions of this act shall be effective for the election of members of the House of Representatives and for the election of Senators in the Alabama Legislature at the General Election of 1986, and at such other election or elections as may be ordered by The United States District Court for the Middle District of Alabama in connection with Burton, Et. Al. V Hobbie, Et. Al., No. 81-617-N, and until each house of the legislature, respectively, is reapportioned in accordance with the provisions of the Alabama Constitution.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Senator deGraffenried offered the following amendment to the substitute for the Bill, H.B. 1, as amended, to-wit:

AMENDMENT TO SUBSTITUTE FOR H.B.1, AS AMENDED

Delete in its entirety the description of House District 62 and insert in lieu thereof the following:

HOUSE DISTRICT 62 SHALL CONSIST OF:

In Tuscaloosa County

Abernant Division

Vance Town

Tract 106

Remainder of Abernant Division

Tract 106

Big Sandy-Duncanville Division

All of the Moundville District

Moundville Town

Tract 107

Remainder of Big Sandy-Duncanville Division

Tract 107

Brookwood Division

Brookwood Town

Tract 106

Tuscaloosa City

Tract 106

Remainder of Brookwood Division

Tract 106

Coaling-Vance Division

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Vance Town

Tract 107

Remainder of Coaling-Vance Division

Tract 107

Coker Division

Northport City

Tract 103

Block 125

Block 132

Block 149

Tuscaloosa City

Tract 103

Block 125

Blocks 132 - 135

Block 149

Remainder of Coker Division

Tract 103

Block 125

Block 132

Blocks 150 - 154

Blocks 156 - 159

Blocks 161 - 166

Blocks 168 - 169

Fosters Division

Tract 103

Tuscaloosa Division

Tuscaloosa City

Tract 108

Blocks 205 - 206

Blocks 298 - 299

Block Group 4

Tract 122

Tract 123

Tract 125

Block Group 2

Remainder of Tuscaloosa Division

Tract 108**Block 207****Blocks 209 - 213****Blocks 215 - 216****Block 218****Blocks 222 - 224****Blocks 227 - 229****Block 231****Blocks 236 - 237****Block 239****Blocks 298 - 299****Blocks 301 - 308****Blocks 310 - 318****Block 340****Block 351****Block 398****Block Group 4****Tract 123****Tract 125****Blocks 108 - 110****Blocks 112 - 120****Blocks 123 - 132****Block 134****Blocks 152 - 154****Block Group 2****Enumeration District 673**

Delete in its entirety House District 68 and insert in lieu thereof the following:

HOUSE DISTRICT 68 SHALL CONSIST OF:

In Dallas County

Carlowville Division

Orrville Division

Safford Division

Sardis Division

Tract 9999.99

Enumeration District 63

All of Hale County, Except the Moundville District

All of Perry County
Which was adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S.7. Relating to the Tenth Judicial Circuit of Alabama, including the Bessemer Division thereof; to provide that if a defendant in a criminal case enters a written plea of not guilty prior to his arraignment such plea shall constitute waiver of his right to have an arraignment at which he is present in person or represented by an attorney.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H.B. 1

The Senate proceeded to further consideration of the Bill, H.B. 1, as amended. The question was on the substitute, as amended.

Senator Figures offered the following amendment to the substitute, as amended, for the Bill, H.B. 1, as amended, to-wit:

**AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR
H. B. 1, AS AMENDED**

Amend the substitute for House Bill 1, as amended, Page 52, by deleting the language in lines 4 through 10 and inserting in lieu thereof the following language:

“Craig-Tyler Division

Enumeration District 60

Selma Division

Tract 9905

Remainder of Selma Division

Enumeration District 51

Enumeration District 52U

Enumeration District 52V

All of Lowndes County

All of Wilcox County”

Further amend the substitute, as amended, for House Bill 1, as amended, Page 52, by deleting the language in lines 13 through 16 and insert in lieu thereof the following language:

“HOUSE DISTRICT 70 SHALL CONSIST OF:

In Dallas County

Craig-Tyler Division

Enumeration District 55

Enumeration District 56A

Enumeration District 56B

Enumeration District 57

Enumeration District 58

Enumeration District 59

Sardis Division

Enumeration District 61

Enumeration District 62

Selma Division

Tract 9901

Tract 9902

Tract 9903

Tract 9904

Remainder of Selma Division

Enumeration District 50

Enumeration District 52T

Enumeration District 53

Enumeration District 54"

Which was adopted.

Senator Smith (J) moved that further consideration of the substitute, as amended, for the Bill, H.B. 1, as amended, be indefinitely postponed, which motion was lost.

Yeas 10; Nays 22.

Yeas:

Senators:	Bedsole	Dixon	Smith (B)	
Amari	Cabaniss	Harrison	Smith (J)	
Bachus	Covington	Kirkland		—10

Nays:

Senators:	Boyington	Goodwin	Mitchem	
Aldridge	Cooley	Holmes	Parsons	
Bailey	Corbett	Keener	Pearson	
Barron	deGraffenried	Little	Proctor	
Bedford	Figures	Menton	Teague	
Bishop	Foshee	Mitchell		—22

MOTION TO ADJOURN LOST

At 5 o'clock P.M., Senator Smith (J) moved that the Senate adjourn until Thursday, February 17, 1983 at 11 o'clock A.M., which motion was lost.

FURTHER CONSIDERATION OF H.B. 1

The Senate proceeded to further consideration of the Bill, H.B. 1, as amended. The question was on the substitute, as amended.

MOTION TO ADJOURN LOST

At 5:02 P.M., Senator Dixon moved that the Senate adjourn until Thursday, February 17, 1983 at 11 o'clock A.M., which motion was lost.

Yeas 10; Nays 23.

Yeas:

Senators:	Cabaniss	Harrison	Robertson
Bachus	Covington	Kirkland	Smith (J)
Bedsole	Dixon		

—10

Nays:

Senators:	Bishop	Hilliard	Mitchem
Aldridge	Cooley	Holmes	Parsons
Amari	deGraffenried	Keener	Pearson
Bailey	Denton	Little	Proctor
Barron	Figures	Menton	Smith (B)
Bedford	Goodwin	Mitchell	Teague

—23

FURTHER CONSIDERATION OF H.B. 1

The Senate proceeded to further consideration of the Bill, H.B. 1, as amended. The question was on the substitute, as amended.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Thomas (with notice and proof):

H. 31. Relating to Wilcox County; to set the compensation for certain clerks in the probate judge's office; to provide for pay periods, source of funding and for retroactive effect.

I hereby certify that the Notice & Proof is attached to the Bill, H.B. 31, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 31. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Martin, Parker, Drake, and Dutton:

H. J. R. 54. COMMENDING AUSTIN HIGH SCHOOL'S COACH JOE JONES FOR OUTSTANDING PROFESSIONAL ACHIEVEMENT.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Aldridge, the Rules were suspended and the Resolution, H.J.R. 54, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Johnson (Roy):

H. J. R. 52. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when we adjourn today, Wednesday, February 16, 1983, that we adjourn to meet again on Thursday, February 17, 1983.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H.J.R. 52, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

RESOLUTION

Senator Corbett offered the following Senate Resolution, to-wit:

S. R. 35. COMMEMORATING THE INCORPORATION OF PHENIX CITY, ALABAMA, FEBRUARY 23, 1883.

Which was adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Gaston:

H. J. R. 70. COMMENDING THE MOBILE PRESS REGISTER NEWSPAPER FOR RUNNING FREE ADS TO ASSIST THE UNEMPLOYED.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Bedsole, the Rules were suspended and the Resolution, H.J.R. 70, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Parker, Martin, Dutton, and Drake:

H. J. R. 59. COMMENDING MR. PHILLIP L. PARKER OF DECATUR, ALABAMA, WINNER OF THE FIRST "BIRMINGHAM 50 MILES."

Also:

By Reps. Nicholson and Brakefield:

H. J. R. 60. MOURNING THE DEATH OF MR. JERRY RAY KIMBRELL OF WALKER COUNTY, ALABAMA.

Also:

By Reps. Nicholson and Brakefield:

H. J. R. 61. COMMENDING MR. CHARLES B. CRUTCHFIELD, PROMINENT WALKER COUNTY BUSINESSMAN.

Also:

By Rep. Owens:

H. J. R. 62. MOURNING THE DEATH OF MR. MILLARD FILLMORE DAILEY, JR., OF BRENT, ALABAMA.

Also:

By Reps. Adams and Johnson (A.L.):

H. J. R. 65. COMMEMORATING THE INCORPORATION OF PHENIX CITY, ALABAMA, FEBRUARY 23, 1883.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Aldridge, the Rules were suspended and the Resolution, H.J.R. 59, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

On motion of Senator Bishop, the Rules were suspended and the Resolutions, H.J.R.'s 60 and 61, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

On motion of Senator deGraffenried, the Rules were suspended and the Resolution, H.J.R. 62, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

On motion of Senator Corbett, the Rules were suspended and the Resolution, H.J.R. 65, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mrs. Rachel R. Arrington to the Board of Trustees for the Alabama Institute for the Deaf and Blind.

On motion of Senator Teague, the appointment of Mrs. Arrington was

confirmed by the Senate.

Yeas 23; Nays 0.

Yeas:

Senators:	Cabaniss	Dixon	Parsons	
Aldridge	Cooley	Hilliard	Pearson	
Bachus	Corbett	Holmes	Proctor	
Bedford	Covington	Kirkland	Robertson	
Bishop	deGraffenried	Little	Smith (B)	
Boyington	Denton	Mitchell	Teague	—23

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 18. To authorize Class I cities to establish Enterprise Zones in areas of pervasive poverty, unemployment and economic distress and to carry out programs to encourage private investment and to create jobs in such areas, and to authorize agencies of such cities, the county governing body and state and county agencies to carry out similar programs in such Enterprise Zones, including, but not limited to, reduction of tax rates, license rates and fees, improvement of public services and reduction and modification of regulatory requirements within such zones, and to provide other services and to modify other requirements as may be necessary or desirable to qualify for financial assistance to such Class I cities or private entities within such zones under any act of the Congress of the United States heretofore or hereafter enacted.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Hilliard, the Senate concurred in and adopted the following House amendment to the Bill, S.B. 18, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S.B. 18

Amend S.B. 18, Section 2, by deleting lines 10 and 11 on page 2, and substituting in lieu thereof the following:

"A. A reduction of municipal tax rates, municipal license rates and/or municipal fees for governmental services within such zones."

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Figures	Menton	
Aldridge	Boyington	Foshee	Mitchem	
Amari	Cabaniss	Hilliard	Parsons	
Bachus	Cooley	Holmes	Pearson	
Barron	Corbett	Keener	Proctor	
Bedford	Denton	Little	Teague	
Bedsole	Dixon			—25

Nays:

—0

FURTHER CONSIDERATION OF H.B. 1

The Senate proceeded to further consideration of the Bill, H.B. 1, as amended. The question was on the substitute, as amended.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 18. CONGRATULATING MRS. HENRY GRADY JACOBS OF SCOTTSBORO, ALABAMA, ON THE OCCASION OF HER 90TH BIRTHDAY.

Also:

S. J. R. 20. COMMENDING JUDGE MYRTLE GREEN OF HUNTSVILLE, ALABAMA.

Also:

S. J. R. 21. MOURNING THE DEATH OF MR. BOYD VAUGHAN OF THE SAKS COMMUNITY OF CALHOUN COUNTY, ALABAMA.

Also:

S. J. R. 22. REQUESTING THE TENNESSEE VALLEY AUTHORITY TO PROPERLY RECLASSIFY THE ELECTRICITY RATES OF THE AGRICULTURAL COMMUNITY.

Also:

S. J. R. 25. MOURNING THE DEATH OF DOCTOR JULIET NUNN PEARSON.

Also:

S. J. R. 27. MOURNING THE DEATH OF MR. WILLIAM DEXTER MAY OF WINFIELD, ALABAMA.

Also:

S. J. R. 28. COMMENDING AUBURN UNIVERSITY'S DOWE AUGHTMAN, ASSOCIATED PRESS ALL-SOUTHEASTERN CONFERENCE DESIGNEE.

Also:

S. J. R. 34. COMMENDING THE RENOWNED EXCELSIOR BAND OF MOBILE, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H.B. 1

The Senate proceeded to further consideration of the Bill, H.B. 1, as amended. The question was on the substitute, as amended.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Joint Resolution:

H. J. R. 25. That the citizens of the State of Alabama wishing to offer the sale of their services and products to the oil and gas industry operating in the State of Alabama and its adjacent waters to strive further to fulfill the needs of the oil and gas industry of Alabama with Alabamian offered services, products and skills.

JOHN W. PEMBERTON,
Clerk.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 7. Relating to the Tenth Judicial Circuit of Alabama, including the Bessemer Division thereof; to provide that if a defendant in a criminal case enters a written plea of not guilty prior to his arraignment such plea shall constitute waiver of his right to have an arraignment at which he is present in person or represented by an attorney.

Also:

S. 18. To authorize Class I cities to establish Enterprise Zones in areas of pervasive poverty, unemployment and economic distress and to carry out programs to encourage private investment and to create jobs in such areas, and to authorize agencies of such cities, the county governing body and state and county agencies to carry out similar programs in such Enterprise Zones, including, but not limited to, reduction of tax rates, license rates and fees, improvement of public services and reduction and modification of regulatory requirements within such zones, and to provide other services and to modify other requirements as may be necessary or desirable to qualify for financial assistance to such Class I cities or private entities within such zones under any act of the Congress of the United States heretofore or hereafter enacted.

CHARLES BISHOP,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

FURTHER CONSIDERATION OF H.B. 1

The Senate proceeded to further consideration of the Bill, H.B. 1, as amended. The question was on the substitute, as amended.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 25. URGING THE CITIZENS OF THE STATE OF ALABAMA WISHING TO OFFER THE SALE OF THEIR SERVICES AND PRODUCTS TO THE OIL AND GAS INDUSTRY OPERATING IN THE STATE OF ALABAMA AND ITS ADJACENT WATERS TO STRIVE FURTHER TO FULFILL THE NEEDS OF THE OIL AND GAS INDUSTRY OF ALABAMA WITH ALABAMIAN OFFERED SERVICES, PRODUCTS, SKILLS, ETC.

Also:

H. J. R. 54. COMMENDING AUSTIN HIGH SCHOOL'S COACH JOE JONES FOR OUTSTANDING PROFESSIONAL ACHIEVEMENT.

Also:

H. J. R. 59. COMMENDING MR. PHILLIP L. PARKER OF DECATUR, ALABAMA, WINNER OF THE FIRST "BIRMINGHAM 50 MILES."

Also:

H. J. R. 60. MOURNING THE DEATH OF MR. JERRY RAY KIMBRELL OF WALKER COUNTY, ALABAMA.

Also:

H. J. R. 61. COMMENDING MR. CHARLES B. CRUTCHFIELD, PROMINENT WALKER COUNTY BUSINESSMAN.

Also:

H. J. R. 62. MOURNING THE DEATH OF MR. MILLARD FILLMORE DAILEY, JR., OF BRENT, ALABAMA.

Also:

H. J. R. 65. COMMEMORATING THE INCORPORATION OF PHENIX CITY, ALABAMA, FEBRUARY 23, 1883.

Also:

H. J. R. 70. COMMENDING THE MOBILE PRESS REGISTER NEWSPAPER FOR RUNNING FREE ADS TO ASSIST THE UNEMPLOYED.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message of the House.

FURTHER CONSIDERATION OF H.B. 1

The Senate proceeded to further consideration of the Bill, H.B. 1, as amended. The question was on the substitute, as amended.

MOTION TO ADJOURN

At 8:25 P.M., on motion of Senator deGraffenried, in accordance with motion heretofore adopted, the Senate adjourned until Thursday, February 17, 1983, at 11 o'clock A.M.

**SIXTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 17, 1983**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

PRAYER

The Session was opened with prayer by the Reverend Fred E. Wilson, Pastor, Southside Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Boyington	Foshee	Mitchell
Aldridge	Cabaniss	Goodwin	Mitchem
Amari	Cooley	Harrison	Parsons
Bachus	Corbett	Hilliard	Pearson
Bailey	Covington	Holmes	Proctor
Barron	deGraffenried	Keener	Robertson
Bedford	Denton	Kirkland	Smith (B)
Bedsole	Dixon	Little	Smith (J)
Bishop	Figures	Menton	Teague

—35

JOURNAL

On motion of Senator Keener, the reading of the Journal of yesterday was dispensed with.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fifth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,
Chairperson.

COMMITTEE REPORT

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Fifth Legislative Day was approved by the Senate.

**REPORT OF
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 18. CONGRATULATING MRS. HENRY GRADY JACOBS OF SCOTTSBORO, ALABAMA, ON THE OCCASION OF HER 90TH BIRTHDAY.

Also:

S. J. R. 20. COMMENDING JUDGE MYRTLE GREEN OF HUNTSVILLE, ALABAMA.

Also:

S. J. R. 21. MOURNING THE DEATH OF MR. BOYD VAUGHAN OF THE SAKS COMMUNITY OF CALHOUN COUNTY, ALABAMA.

Also:

S. J. R. 22. REQUESTING THE TENNESSEE VALLEY AUTHORITY TO PROPERLY RECLASSIFY THE ELECTRICITY RATES OF THE AGRICULTURAL COMMUNITY.

Also:

S. J. R. 25. MOURNING THE DEATH OF DOCTOR JULIET NUNN PEARSON.

Also:

S. J. R. 27. MOURNING THE DEATH OF MR. WILLIAM DEXTER MAY OF WINFIELD, ALABAMA.

Also:

S. J. R. 28. COMMENDING AUBURN UNIVERSITY'S DOWE AUGHTMAN, ASSOCIATED PRESS ALL-SOUTHEASTERN CONFERENCE DESIGNEE.

Also:

S. J. R. 34. COMMENDING THE RENOWNED EXCELSIOR BAND OF MOBILE, ALABAMA.

CHARLES BISHOP,
Chairperson.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Johnson (Roy):

H. J. R. 72. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when we adjourn today, Thursday, February 17, 1983, that we adjourn to meet again on Tuesday, February 22, 1983.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H.J.R. 72, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Stout, Rains and Richardson:

H. J. R. 76. COMMENDING DOCTOR GEORGE S. KILLIAN OF FORT PAYNE, ALABAMA, AS PRESIDENT OF THE ALABAMA CATTLEMEN'S ASSOCIATION.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Mitchem, the Rules were suspended and the Resolution, H.J.R. 76, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Coburn:

H. 23. Prescribing certain procedures for distribution of revenues to counties and municipalities by state agencies.

Also:

By Rep. Johnson (Roy):

H. 25. To amend Section 36-17-8 of the Code of Alabama 1975 as amended by Act 83-78 relating to the procedures for the State Treasurer in paying principal and interest on bonded indebtedness by a fiscal agent and more specifically to alter Section 1(c) dealing with the number of fiscal agents so as to make this subsection conform to other sections of the code.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B. 23. To the Committee on Governmental Affairs.

H. B. 25. To the Committee on Banking and Insurance.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and or-

dered same sent forthwith to the Senate without engrossment:

By Reps. Albright, Coleman, Blake, Howard, Ashley, Thornton and Trammell:

H. 33. To provide additional revenue from which to pay interest on funds advanced the Alabama Unemployment Compensation Trust Fund for the payment of benefits; to establish a special fund in the state treasury to receive such revenue; to provide for the accumulation of interest on monies deposited into the special fund; to authorize expenditures from the special fund; and to provide for its dissolution.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 33. To the Committee on Business and Labor Relations.

INTRODUCTION OF BILLS

Upon the call of districts, the bill was introduced, read one time and referred to the appropriate standing committee, as follows:

By Senators Bachus and Smith (B):

S. 39. To further regulate the sale, purchase and consumption of alcoholic beverages so as to change the legal age for the consuming, purchasing and selling of alcoholic beverages to persons of 21 years of age; to amend Section 26-1-1 of the Code of Alabama 1975; to except the consuming, purchasing and selling of alcoholic beverages from said statute which designates the age of majority, until the attainment of age 21; to amend Section 28-3A-11 of the Code of Alabama 1975, relating to retail liquor lounges, so as to provide that no person under 21 years of age shall be admitted to such premises as a patron; and to provide penalties for violations.

Committee on Judiciary.

REPORTS OF COMMITTEES

Senator Mitchell, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Foshee:

S. 37. To change the name of the Civil Defense Department to the State of Alabama Emergency Management Agency.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Thomas (With Notice and Proof):

H. 31. Relating to Wilcox County; to set the compensation for certain clerks in the probate judge's office; to provide for pay periods, source of funding and for retroactive effect.

RESOLUTION

Senator Keener offered the following Senate Joint Resolution, to-wit:

S. J. R. 36. SETTING MEETING DAYS OF THE LEGISLATURE.

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That when the two Houses adjourn today they adjourn to meet again on Friday, February 18, 1983.

Which was read and referred to the Standing Committee on Rules.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

H. 1. To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census, and to expressly repeal Act No. 81-1049, 1981 Second Special Session and Act No. 82-629, 1982 First Special Session.

as amended. The question was on the substitute, as amended, for the Bill, H.B. 1, which said substitute is set out in the Journal of the Senate for the Fifth Legislative Day.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 76. COMMENDING DOCTOR GEORGE S. KILLIAN OF FORT PAYNE, ALABAMA, AS PRESIDENT OF THE ALABAMA CATTLEMEN'S ASSOCIATION.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 1

The Senate proceeded to further consideration of the Bill, H.B. 1, as amended. The question was on the substitute, as amended.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Albright and Ashley:

H. 11. To amend Sections 25-4-10, 25-4-16, 25-4-32, 25-4-51, 25-4-52,

25-4-54, 25-4-70, 25-4-72, 25-4-73, 25-4-74, 25-4-77, 25-4-78, 25-4-91, 25-4-130, 25-4-132, 25-4-133 and 25-4-145, Code of Alabama 1975, as last amended, (The Alabama Unemployment Compensation Act), so as to extend the exemption from the definition of "employment" services performed by certain aliens until January 1, 1984; to remove age restrictions for exemption from coverage of a full time student participating in a work study program, to exclude from coverage certain qualified real estate agents and direct sellers; to increase the taxable wage base to \$8,000 and to provide for its retroactive effect to January 1, 1983; to clarify exemption/non-exemption of wages into or from a tax deferred trust; to extend to 35 years the period during which certain moneys credited to the fund may be used for administrative purposes; to clarify certain provision and procedures dealing with governmental entities; to amend the amount of surety bond required from non-profit organizations; to provide for an experience rating charge upon payment of benefits equaling the claimant's weekly benefit amount; to increase employee tax to 1.0% and to provide for its retroactive effect to January 1, 1983; to increase the maximum tax rate for employers to 5.0% January 1, 1984 and to 5.4% January 1, 1985; to provide for an emergency surcharge on employers of 25% of the employer's computed tax rate (limited to an increase of 0.7 percent) and to provide for its retroactive effect to January 1, 1983 and to set criteria for the termination of such surcharge; to require denial of benefits between academic terms or years for non-professional employees of institutions of higher education under certain conditions and for retroactive payment of benefits to non-professional employees of any institution of education operated by a governmental or non-profit organization under certain conditions; to provide for an increase in weekly benefit amount to \$120 effective with weeks of unemployment commencing in benefit years beginning on or after the first Sunday of the first calendar quarter which begins at least 90 days after the effective date of this act; to increase the minimum weekly benefit amount to \$22 effective the same date; to provide that the separation from a job subsequent to a voluntary quit, discharge for dishonest or criminal act or a discharge for misconduct after warning must be for a non-disqualifying reason (with wages equal to 10 times weekly benefit amount subsequent to a separation for criminal misconduct), increases the disqualification for industrial misconduct to 4-8 weeks, all effective with benefit years beginning 30 or more days after the effective date of this act; to authorize the director to collect overpayments, waive overpayments and to establish limitations of time on such actions; and to provide other minor non-controversial technical revisions.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 11. To the Committee on Business and Labor Relations.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Biddle, Sasser, Waggoner, Carter and White (L):

H. 18. To amend Section 9-11-235, Code of Alabama 1975, relating to nighttime hunting, so as to allow the use of shotgun and number six (6) shot or smaller and standard .22 caliber rimfire firearms other than .22 magnum rimfire firearms in the nighttime hunting of raccoon and opossum, to further clarify that the provisions thereof are not to apply to the nighttime hunting of raccoon, opossum, and foxes, exclusively with dogs, and to expressly repeal Section 9-11-235.1, Code of Alabama 1975, as amended, relating to the nighttime hunting of raccoon and opossum.

Also:

By Rep. Adams:

H. 37. To provide further for the membership of the continuing legislative committee, known as the legislative council of the State of Alabama, so as to include the chairman of the rules committee in each the house and senate.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B. 18. To the Committee on Agriculture, Conservation, and Forestry.

H. B. 37. To the Committee on Buildings and Grounds.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 22. To amend Section 26-7A-1 of the Code of Alabama 1975, as amended, which provides for curators being appointed in the probate court so as to clarify that curators may be appointed in any probate court in the State of Alabama and to ratify previous curator appointments by any probate judge which otherwise would qualify under Chapter 7A of Title 26 of the Code of Alabama and in existence on the date of this Act.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 1

The Senate proceeded to further consideration of the Bill, H.B. 1, as amended. The question was on the substitute, as amended.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Moore and Wilson:

H. 32. To amend Section 11-47-16, Code of Alabama 1975, relating to the power of cities and towns to acquire sites for, construct and operate public cultural facilities, so as to include counties and to further qualify the necessity for such acquisition and construction.

Also:

By Reps. Warren and Smith:

H. 30. To amend Section 9-13-11, Code of Alabama 1975, which relates to the willful and malicious burning of woodlands, so as to provide further for the definition of paraphernalia used in arson.

Also:

By Rep. Turnham:

H. 9. To make an additional appropriation from the "Alabama Board of Examiners in Counseling Fund" in the general fund of the state treasury, for the fiscal year ending September 30, 1983, to the said board for its general operations.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B. 32. To the Committee on Governmental Affairs.

H. B. 30. To the Committee on Judiciary.

H. B. 9. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Turnham:

H. 5. To amend §16-25-14(i), Code of Alabama 1975 relating to the Teachers' Retirement System of Alabama and §16-27-16(e), Code of Alabama 1975, relating to the Employees' Retirement System of Alabama, so as to change from five years to two years the time required for certain members who have been restored to active service, to continue in service before again becoming a member of either System.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 5. To the Committee on Governmental Affairs.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Turnham:

H. 17. To provide for the supplemental appropriation and allocation to the Board of Heating and Air Conditioning Contractors for the 1982-1983 state fiscal year ending September 30, 1983, of an amount up to \$65,000.00, from the Board of Certification of Heating and Air Conditioning Contractors Fund in the state treasury for the purpose of salaries and other expenses; to provide for retroactive effect; and to provide that monies remaining in said fund on September 30, 1983, shall revert to the State General Fund.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 17. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Holley:

H. 22. To make a continuing appropriation to the State Comptroller from the Fair Trial Tax Fund for the cost of administration of that fund.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 22. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Bennett:

H. 8. To amend Section 16-22-6, Code of Alabama, 1975, so as to provide further for payroll deductions for educational employees and for Public Employees' Individual Retirement Account Fund (PEIRAF) created by Act 82-776.

JOHN W. PEMBERTON,
Clerk.**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 8. To the Committee on Education.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 24. Relating to the promotion of the production, research, distribution, marketing, use, improvement and sale of swine and swine products; to amend Section 2-8-49 of the Code of Alabama 1975, to provide that the assessment levied upon the sale of swine shall not exceed \$.10 on market hogs and \$.05 on feeder pigs; to repeal Section 2-8-53, Code of Alabama 1975, so as to eliminate the exemption from the payment of such assessment at the point of sale.

JOHN W. PEMBERTON,
Clerk.**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Coburn:

H. 24. To amend Sections 36-22-42 and 36-22-43, Code of Alabama 1975, which provides for deductions from sheriffs' salaries and retirement payments for retired sheriffs, so as to increase said deductions and payments.

JOHN W. PEMBERTON,
Clerk.**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 24. To the Committee on Governmental Affairs.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Holley, Drake, Johnson (Roy), Casey, Coburn, Blake and Moore:

H. 36. To create and establish the Department of Economic and Com-

munity Affairs; to provide that: The Office of State Planning and Federal Programs, as created and provided for by Sections 41-9-205 through 41-9-214, Code of Alabama 1975; the Alabama Department of Energy, as created and provided for by Sections 41-6A-1 through 41-6A-11, Code of Alabama 1975; the Alabama Law Enforcement Planning Agency as created and provided for by Sections 41-8A-1 through 41-8A-13, Code of Alabama 1975; the State Manpower Planning Council and CETA Manpower services, as created and provided for by federal laws and Executive Order No. 16, 1971; and the Office of Employment and Training, as created and provided for by federal laws and Executive Order No. 34, 1980, are merged into and shall be transferred to said Department of Economic and Community Affairs; to provide that all functions, duties, responsibilities, authority, assets, liabilities, contractual rights and obligations, property rights, appropriations, employees, property and supplies are vested in and transferred to the new agency; to continue the employment and rights and benefits of certain classified employees, whose job classifications are not abolished hereby, to provide for the appointment, term, compensation, duties and authority of the director of the Department of Economic and Community Affairs; to specifically continue the provisions of law relating to any councils and boards and advisory boards of: Title 41, Chapter 6A, Code of Alabama 1975, relating to the Alabama Energy Management Act of 1980; Title 41, Chapter 9, Article 8A, Code of Alabama 1975, relating to the Office of State Planning and Federal Programs; the State Manpower Planning Council (CETA); and the Office of Employment and Training; to provide that each of the merged agencies within the said new agency shall be divided into divisions; to provide for divisions and division chiefs and their appointment; and to provide for the change of the name of the State Manpower Planning Council (CETA) to the Office of Employment and Training and to transfer the functions of such council.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 36. To the Committee on Governmental Affairs.

FURTHER CONSIDERATION OF H. B. 1

The Senate proceeded to further consideration of the Bill, H.B. 1, as amended. The question was on the substitute, as amended.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 26. To provide for the criminal offense of theft of fish from fish farms and provides for penalties for violation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Robertson, the Senate concurred in and adopted

the following House amendment to the Bill, S.B. 26, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 26

Amend Senate Bill 26, page 1, Section 1, by inserting after the word and figure "Section 1." the following:

(a) Amend Senate Bill 26, page 1, Section 1, line 25, after the word "fishing" by deleting the remainder of said Section 1, and inserting in lieu thereof the following:

(b) Any motor vehicle, or fishing tackle or other fishing equipment which has been or is used for illegal fishing shall be contraband, and, in the discretion of the circuit court may be forfeited to the county wherein the violation occurred, as hereinafter provided.

(c) The sheriff or any other person authorized to enforce the game and fish laws of this state who apprehends any person violating the provisions of this act, or who finds any vehicle which is being or has been used in such illegal fishing shall seize such vehicle and any fishing tackle and other fishing equipment found in the possession of or on the person of such person or in or on such vehicle and shall report such seizure and the facts connected therewith to the district attorney or other prosecuting official in the judicial circuit. The report shall contain a full description of the vehicle or other equipment seized and detained, the name of the person in whose possession it was found, the name of the person making claim to the same, or any interest therein, if the name is known or can be ascertained, the date of the seizure and a statement of the circumstances surrounding the seizing of the property.

(d) The district attorney or other prosecuting officer of the judicial circuit upon receiving such report may at once institute, or cause to be instituted, condemnation proceedings in the circuit court, in the same manner that he is directed by law to institute proceedings for the condemnation and forfeiture of automobiles and other vehicles used in the illegal transportation of alcoholic beverages. Except as herein otherwise provided, the procedures for the condemnation, forfeiture and sale of motor vehicles and fishing equipment under this act used in the illegal fishing shall be governed in all things by and shall conform to the law relative to proceedings for the condemnation, forfeiture and sale of vehicles used in the illegal transportation of alcoholic beverages. Without limiting the generality of the foregoing sentence the provisions of sections 28-4-266 and 28-4-287, shall apply to and govern all such proceedings.

(e) The proceeds of the sale of any property condemned and forfeited to any county under authority of this section, after payment of all expenses in the cause, including the cost of seizure and a keeping of the property pending the proceedings, shall be paid into the state treasury to the credit of the county in which the violation occurred.

(f) Any lienholder with a perfected security interest recorded in accordance with the Uniform Commercial Code may recover the vehicle in kind or may recover the balance remaining after deduction of any costs of recovery and sale.

Also, on page 2, between lines 10 and 11, insert the following Section 3 and renumber all subsequent sections accordingly:

Section 3. The provisions of this Act are severable. If any part of the

Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Yeas 19; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Mitchell	
Bedford	Corbett	Goodwin	Mitchem	
Bedsole	Covington	Holmes	Parsons	
Bishop	Denton	Keener	Robertson	
Cabaniss	Dixon	Little	Smith (B)	—19

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Waggoner:

H. J. R. 79. COMMENDING MR. ROBERT H. BOSWELL, DIRECTOR OF THE BIRMINGHAM POLICE DEPARTMENT ATHLETIC TEAM.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Robertson, the Rules were suspended and the Resolution, H.J.R. 79, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

FURTHER CONSIDERATION OF H. B. 1

The Senate proceeded to further consideration of the Bill, H.B. 1, as amended. The question was on the substitute, as amended.

RECESS

At 3:45 P.M., on motion of Senator Robertson, the Senate took a recess to return upon the call of the Chair.

At 5:05 P.M., the Senate was called to order by President Pro Tempore Teague. A quorum of the Senate was present.

FURTHER CONSIDERATION OF H. B. 1

The Senate proceeded to further consideration of the Bill, H.B. 1, as amended. The question was on the substitute, as amended.

Senator Bachus offered the following amendment to the substitute, as amended, for the Bill, H.B. 1, as amended, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 1, AS AMENDED

In Section 1, delete all the language describing House Districts 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59 and 60 and insert in lieu thereof the following descriptions of said House Districts:

HOUSE DISTRICT 43 SHALL CONSIST OF:

Tract 117.05

Tract 117.03

Tract 120.02

Tract 119.01

Tract 119.02

Tract 109

Tract 117.06

Tract 112.05

Tract 112.06

HOUSE DISTRICT 44 SHALL CONSIST OF:

Tract 112.04

Tract 112.03

Tract 118.02

Tract 111.04

Tract 111.05 except Block Group 9

Tract 111.03

HOUSE DISTRICT 45 SHALL CONSIST OF:

Tract 118.01

Tract 59.05

Tract 59.04

Tract 59.06

Tract 59.03

Tract 53.01

Block Group 5

Tract 53.02

Tract 1

Block Group 1

Block Group 4

HOUSE DISTRICT 46 SHALL CONSIST OF:

Tract 111.05

Block Group 9

Tract 108.02

Tract 108.03

Tract 108.04

Tract 108.05

Tract 127.01

Tract 127.02

Tract 110

Tract 126.02

Tract 126.01

Tract 128.02

Tract 108.01

Block Group 3

HOUSE DISTRICT 47 SHALL CONSIST OF:

Tract 108.01

Block Group 1

Block Group 2

Tract 58

Tract 50

Tract 49

Tract 48

Tract 47.01

Tract 25

Tract 47.03

Tract 47.02

Tract 23.06

Tract 56

HOUSE DISTRICT 48 SHALL CONSIST OF:

Tract 119.03

Tract 2

Tract 19.01

Tract 19.02

Tract 3

Tract 18.01

Tract 18.02

Tract 20

Tract 21

Tract 22

Tract 23.05

Tract 23.03

Tract 23.04

Tract 24

Tract 1

Block Group 2

Block Group 3

Tract 53.01

Block Group 6

Block Group 7

HOUSE DISTRICT 49 SHALL CONSIST OF:

Tract 129.01

Tract 129.02

Tract 129.03

Tract 129.04

Tract 128.01

HOUSE DISTRICT 50 SHALL CONSIST OF:

Tract 107.03

Tract 107.02

Tract 107.01

Tract 107.04

Tract 107.05

Tract 107.06

Tract 144.01

Tract 51.02

Block Group 9

Tract 130.02

Tract 130.01

Block Group 3

HOUSE DISTRICT 51 SHALL CONSIST OF:

Tract 143.01

Block Group 4

Block Group 6

Tract 144.02

Tract 103.01

Tract 141.03

Tract 141.05

Tract 104.02

Tract 104.01

Tract 144.03 except Block Group 4 and Block 107

Tract 142.03

Tract 142.02

Tract 142.04

HOUSE DISTRICT 52 SHALL CONSIST OF:

Tract 130.01

Block Group 4

Tract 137

Block Group 2

Block Group 3

Tract 138.01

Tract 102

Tract 141.04

Tract 138.02

Tract 101

Tract 103.02

Tract 143.01

Block Group 3

Tract 143.02

Tract 141.02

Tract 144.03

Block Group 4

Block Group 1

Block 107

Tract 140

Block Group 2

Blocks 221-230

Block Group 9

HOUSE DISTRICT 53 SHALL CONSIST OF:

Tract 115

Tract 122

Tract 123.02

Tract 140 except Block Group 9 and Block Group 2, Blocks 221-230

Tract 123.01

Tract 100.01

Tract 100.02

Tract 139.02

HOUSE DISTRICT 54 SHALL CONSIST OF:

Tract 117.04

Tract 125

Tract 124.03

Tract 124.02

Tract 121.04

Tract 121.03

Block Group 1

Block Group 2 except Block 222

Block Group 3

Block Group 7 except Block 709

Block Group 9

Blocks 921, 915, 916

Tract 116 except Block Group 7 and Block Group 1, Blocks 133, 146-164

Tract 114

Tract 113

HOUSE DISTRICT 55 SHALL CONSIST OF:

Tract 139.01

Tract 135

Tract 106.01

Tract 106.02

Tract 106.03

Tract 134

Tract 136.01

Tract 136.02

Tract 137

Block Group 1

Block Group 4

Tract 133

Tract 105

Tract 131

HOUSE DISTRICT 56 SHALL CONSIST OF:

Tract 52

Tract 57.02

Tract 57.01

Tract 132

Tract 38.01

Tract 36

Tract 38.03

Tract 40

HOUSE DISTRICT 57 SHALL CONSIST OF:

Tract 51.02 except Block Group 9

Tract 51.01

Tract 42

Tract 28.02

Tract 41

Tract 29

Tract 30.02

Block Group 2

Block Group 3

Block Group 4

Tract 30.01 except Block Group 2

Tract 39

Tract 38.02

Tract 37

HOUSE DISTRICT 58 SHALL CONSIST OF:

Tract 30.02

Block Group 1

Tract 30.01

Block Group 2

Tract 28.01

Tract 44

Tract 45

Tract 27

Tract 26.02

Tract 26.01

Tract 17

Tract 16

Tract 15

Tract 14

Tract 31

Tract 46

HOUSE DISTRICT 59 SHALL CONSIST OF:

Tract 116

Block Group 7

Block Group 1

Blocks 133, 146-164

Tract 54

Tract 5

Tract 6

Tract 4

Tract 7

Tract 55

Tract 8

Tract 120.01

HOUSE DISTRICT 60 SHALL CONSIST OF:

Tract 9

Tract 10

Tract 11

Tract 12

Tract 32

Tract 33

Tract 124.01

Tract 34

Tract 35

Tract 121.03

Block Group 5

Block Group 9 except Blocks 921, 915, 916

Block Group 7

Block 709

Block Group 6

Block Group 2

Block 222

On motion of Senator Proctor, said amendment was laid on the table.

Yeas 18; Nays 9.

*Yeas:*Senators:
Aldridge
BaileyBishop
Cooley
deGraffenriedDenton
Figures
FosheeHilliard
Holmes
Keener

SECOND EXTRAORDINARY SESSION
6th Day

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Little Mitchell	Mitchem Pearson	Proctor Smith (J)	Teague	—18
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Nays:

Senators:	Bedford	Cabaniss	Harrison	
Amari	Bedsole	Dixon	Robertson	
Bachus	Boyington			—9

REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, with substitute, to-wit:

H. J. R. 72. SETTING MEETING DAYS OF THE LEGISLATURE.

The Standing Committee on Rules then reported the following substitute for the Resolution, H.J.R. 72, to-wit:

COMMITTEE SUBSTITUTE FOR H. J. R. 72

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when the House adjourns today, Thursday, February 17, 1983, that they adjourn to meet again on Tuesday, February 22, 1983.

BE IT FURTHER RESOLVED, That when the two houses adjourn today, Thursday, February 17, 1983, that the Senate adjourns to meet again on Friday, February 18, 1983, and when the Senate adjourns on Friday, February 18, they adjourn to meet again on Tuesday, February 22, 1983.

Which was adopted.

And on motion of Senator Bishop, said Resolution, H.J.R. 72, as thus amended by the substitute, was then concurred in and adopted by the Senate.

MOTION TO ADJOURN

Senator Bishop moved that when the Senate adjourns today, it adjourn to meet again on Friday, February 18, 1983, at 9 o'clock A.M., which motion was adopted.

FURTHER CONSIDERATION OF H. B. 1

The Senate proceeded to further consideration of the Bill, H.B. 1, as amended. The question was on the substitute, as amended.

Senator Proctor offered the following amendment to the substitute, as amended, for the Bill, H.B. 1, as amended, to-wit:

**AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 1,
AS AMENDED**

Amend House Bill 1, Page 60, Line 50, by striking ~~BLOCK-GROUP-4~~ and inserting in lieu thereof BLOCK GROUP 7 and on Page 61, Line 47, by striking ~~-BLOCK--GROUPS-6-7--~~ and inserting in lieu thereof BLOCK GROUP 4 - 6.

Which was adopted.

Senator Denton offered the following amendment to the substitute, as

amended, for the Bill, H.B. 1, as amended, to-wit:

**AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HOUSE
BILL 1, AS AMENDED**

Amend the Substitute to H.B. 1 on page 1, House District 2, by deleting line 48.

Further amend the Substitute to H.B. 1 on page 2, House District 2, after line 4, by adding the following:

Tract 201

Block Group 3

Block Group 4

Block Group 5

Block Group 6

Block Group 7

Blocks 811-814, 817-836

Block Group 9

Tract 202

Block Group 3

Block Group 4

Block Group 5

Block Group 6

Tract 203

Tract 205

Further amend the Substitute to H.B. 1, on page 2, after line 6, by adding the following:

Tract 201

Tract 202

Tract 203

Tract 204

Tract 205

Tract 206

Tract 207

Block Group 2

Block Group 4

Block Group 9

Enumeration District 905

Further amend the Substitute to H.B. 1, on page 2, House District 3, by striking lines 15 through 18 in their entirety and inserting in lieu thereof the following:

Tract 201

Block Group 1

Block Group 2

Block Group 8

Blocks 801-802, 804-807, 809, 810, 815, 816

Tract 202

Block Group 1

Block Group 2

Further amend the Substitute to H.B. 1, on page 2, between lines 18 and 19, by inserting the following:

Remainder of Tri-Cities Division

Tract 207

Block Group 1

Further amend the Substitute to H.B. 1, on page 2, between lines 11 and 12, by inserting the following language:

Leighton Division

Further amend the Substitute to H.B. 1, on page 2, between lines 23 and 24, by inserting the following language:

St. Florian Town

Further amend the Substitute to H.B. 1, on page 3, House District 4, by deleting line 6 in its entirety.

Which was adopted.

Senator Bedford offered the following amendment to the substitute, as amended, for the Bill, H.B. 1, as amended, to-wit:

**AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H.B. 1,
AS AMENDED**

On page 10-11, House District 17:

Delete the description of House District 17 and insert in lieu thereof the following description:

In Marion County

Bear Creek Division

Bear Creek Town

Tract 9999.99

Enumeration District 400

Remainder of Bear Creek Division

Tract 9999.99

Enumeration District 401T

Enumeration District 401U

Enumeration District 402T

Bexar Division

Tract 9999.99

Enumeration District 406

Hackleburg Division

Hamilton Division

Weston Town

Remainder of Hamilton Division

Tract 9999.99

Enumeration District 409B

Enumeration District 409C

Enumeration District 413A

In Winston County:

Addison Division

Addison Town

Enumeration District 600

Enumeration District 601

Remainder of Addison Division

Enumeration District 602

Enumeration District 604U

Enumeration District 604T

Enumeration District 605U

Enumeration District 605A

Arley Town

Enumeration District 605B

Double Springs Division

Double Springs Town

Enumeration District 606

Enumeration District 607

Enumeration District 608

Enumeration District 610B

Remainder of Double Springs Division

Enumeration District 609U

Enumeration District 610A

Haleyville Division

Remainder of Haleyville Division

Enumeration District 612A

Enumeration District 613

Enumeration District 617

Lynn Division

Lynn Town

Enumeration District 614

Enumeration District 616B

Remainder of Lynn Division

Enumeration District 615

Enumeration District 616A

On page 11, House District 18:

Delete the description of House District 18 and insert in lieu thereof
the following description:

HOUSE DISTRICT 18 SHALL CONSIST OF:

All of Franklin County

In Winston County

Haleyville Division

B.N.A. 9901 (Haleyville City)

Enumeration District 611

Enumeration District 612U

Double Springs Division

Enumeration District 609T

Addison Division

Enumeration District 603

On motion of Senator Proctor, said amendment was laid on the table.

Yeas 14; Nays 13.

Yeas:

Senators:	deGraffenried	Keener	Pearson	
Bishop	Goodwin	Menton	Proctor	
Cooley	Hilliard	Mitchem	Teague	
Covington	Holmes	Parsons		—14

Nays:

Senators:	Bedsole	Dixon	Harrison	
Bachus	Boyington	Figures	Robertson	
Barron	Cabaniss	Foshee	Smith (J)	
Bedford	Corbett			—13

And said substitute, as amended, for the Bill, H.B. 1, as amended, was
then adopted by the Senate.

Yeas 21; Nays 11.

Yeas:

Senators:	Cooley	Holmes	Mitchem	
Aldridge	deGraffenried	Keener	Parsons	
Barron	Figures	Little	Pearson	
Bedford	Foshee	Menton	Proctor	
Bishop	Goodwin	Mitchell	Teague	
Boyington	Hilliard			—21

Nays:

Senators:	Bedsole	Denton	Robertson	
Amari	Cabaniss	Dixon	Smith (B)	
Bachus	Covington	Harrison	Smith (J)	—11

Senator Cooley offered the following amendment to the Bill, H.B. 1, as amended by the substitute, as amended, to-wit:

**AMENDMENT TO H. B. 1, AS AMENDED BY THE
SUBSTITUTE, AS AMENDED**

Amend House Bill 1 as follows:

On pages 62-63, House District 88:

Delete the description of House District 88 and insert in lieu thereof the following description:

In Dale County:

Daleville Division

Clayhatchee Town

Daleville City

Tract 211

Enumeration District 671

Enumeration District 674

Enumeration District 675

Tract 212

Enumeration District 676

Enterprise City

Levell Plains Town

Remainder Daleville Division

Echo Division

Fort Rucker Division

Newton Town

Tract 210

Block Group 9

Remainder Fort Rucker Division

Tract 210

Enumeration District 666

Enumeration District 669

Newton-Midland City Division

Ozark Division

Newton Town

Ozark City

Tract 204

Tract 205

Tract 206

Tract 207

Tract 208

Remainder Ozark Division

Tract 203

Tract 204

Tract 205

Tract 207

Tract 208

On page 64, House District 89:

Delete lines 6-32, and insert in lieu thereof the following:

In Dale County:

Daleville Division

Daleville City

Tract 211

Enumeration District 672

Fort Rucker Division

Remainder of Fort Rucker Division

Tract 209

Enumeration District 667

Enumeration District 668

Daleville City

Tract 209

Enumeration District 670

Ozark Division

Ariton Town

Ozark City

Tract 201

Block Group 1

Remainder of Ozark Division

Tract 201

Enumeration District 654

Enumeration District 655A

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Boyington	Harrison	Mitchem
Aldridge	Cooley	Hilliard	Parsons
Amari	Corbett	Holmes	Proctor
Bailey	Covington	Keener	Smith (B)
Barron	deGraffenried	Little	Smith (J)
Bedsole	Denton	Menton	Teague
Bishop	Figures		

—25

Nays:

—0

Senator Bailey moved that the Senate reconsider the vote by which the Cooley amendment was adopted.

On motion of Senator Proctor, the motion to reconsider was laid on the table.

Senator Robertson moved that further consideration of the Bill, H.B. 1, as amended by the substitute, as amended, be postponed until the Seventh Legislative Day.

On motion of Senator deGraffenried, the motion to postpone was laid on the table.

And said Bill, H.B. 1, as amended by the substitute, as amended, was read a third time at length and passed.

Yeas 22; Nays 11.

Yeas:

Senators:	Corbett	Hilliard	Mitchem
Aldridge	Covington	Holmes	Parsons
Barron	deGraffenried	Keener	Pearson
Bedford	Figures	Little	Proctor
Bishop	Foshee	Menton	Teague
Cooley	Goodwin	Mitchell	

—22

Nays:

Senators:	Bedsole	Dixon	Robertson
Amari	Cabaniss	Harrison	Smith (B)
Bachus	Denton	Kirkland	Smith (J)

—11

Senator deGraffenried moved that the Senate reconsider the vote by which the Bill, H.B. 1, as amended, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

BILLS ON THIRD READING RESUMED

The Bill:

H. 13. To provide further for exemptions from the requirement of continuing legal education; to exempt the governor, lieutenant governor,

members of the legislature, secretary of the senate, clerk of the house, and employees of legislative reference service, should they be attorneys, from the requirement of mandatory continuing legal education.

was taken up.

Senator Kirkland offered the following amendment to the Bill, H.B. 13, to-wit:

AMENDMENT TO H. B. 13

On page 1, line 12 after the word "lieutenant governor" insert: Attorney General

On page 1, line 25 after the word "lieutenant governor" insert: Attorney General

On page 1, line 30 after the word "lieutenant governor" insert: Attorney General

Which was adopted.

Yeas 14; Nays 1.

Abstaining 8.

Yeas:

Senators:	Cooley	Dixon	Kirkland	
Barron	Corbett	Foshee	Menton	
Bishop	deGraffenried	Harrison	Teague	
Boyington	Denton	Keener		—14

Nay: Senator Robertson —1

Abstaining:

Senators:	Bedford	Little	Pearson	
Aldridge	Hilliard	Parsons	Smith (J)	
Amari				—8

And said Bill, H.B. 13, as thus amended, was read a third time at length and passed.

Yeas 12; Nays 0.

Abstaining 14.

Yeas:

Senators:	Corbett	Foshee	Mitchem	
Barron	Covington	Holmes	Robertson	
Bishop	Denton	Menton	Teague	
Boyington				—12

Nays: —0

Abstaining

Senators:	Bedford	Hilliard	Parsons	
Aldridge	Cooley	Keener	Pearson	
Amari	deGraffenried	Kirkland	Smith (J)	
Bachus	Dixon	Mitchell		—14

(And the President Pro Tempore of the Senate declared a quorum present but not voting.)

RESOLUTION

Senator Amari offered the following Senate Joint Resolution, to-wit:

S. J. R. 37. COMMENDING HOWARD K. LYNAM EASTERN AREA CHAMBER OF COMMERCE CITIZEN OF THE YEAR-1982.

WHEREAS, the Alabama Legislature is pleased to note the selection of Birmingham's Howard K. Lynam as Citizen of the Year-1982, by the Eastern Area Chamber of Commerce; and

WHEREAS, a resident of Birmingham for the past 35 years and a prominent area insurance executive, Mr. Lynam has served his community as a member of the Birmingham Industrial Development Board, the Birmingham Pardon and Parole Board, a Director of the Alabama Industrial School for Boys, among numerous other community service organizations; and

WHEREAS, Mr. Lynam's activities extend further to include longtime membership in the Birmingham-East Rotary Club, and the Concordia Lutheran Church where he is both faithful in attendance as well as in service in all areas of church involvement; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend Citizen of the Year Howard K. Lynam of Birmingham, Alabama; we further direct that Mr. Lynam receive a copy of this resolution that he and his wife, Jane, and sons, Michael and Bruce, may know of our sincere warm praise and regard.

BE IT FURTHER RESOLVED, That we acknowledge Howard K. Lynam as the political "Godfather" of the eastern section and that he be recognized by the community for this distinction.

On motion of Senator Amari, the Rules were suspended and the Resolution was adopted by the Senate.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 22. To amend Section 26-7A-1 of the Code of Alabama 1975, as amended, which provides for curators being appointed in the probate court so as to clarify that curators may be appointed in any probate court in the State of Alabama and to ratify previous curator appointments by any probate judge which otherwise would qualify under Chapter 7A of Title 26 of the Code of Alabama and in existence on the date of this act.

Also:

S. 24. Relating to the promotion of the production, research, distribution, marketing, use, improvement and sale of swine and swine products; to amend Section 2-8-49 of the Code of Alabama 1975, to provide that the assessment levied upon the sale of swine shall not exceed \$.10 on market hogs and \$.05 on feeder pigs; to repeal Section 2-8-53, Code of Alabama 1975, so as to eliminate the exemption from the payment of such assessment at the point of sale.

Also:

S. 26. To provide for the criminal offense of theft of fish from fish farms and provides for penalties for violation.

CHARLES BISHOP,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

RECESS

At 6:20 P.M., on motion of Senator Amari, the Senate took a recess to return upon the call of the Chair.

At 10:45 P.M., the Senate was called to order by President Pro Tempore Teague. A quorum of the Senate was present.

RESOLUTION RECONSIDERED

On motion of Senator deGraffenried, the Senate reconsidered the vote by which the Resolution, H.J.R. 72, as amended, was concurred in and adopted by the Senate.

Senator deGraffenried then offered the following substitute for the Resolution, H.J.R. 72, as amended, to wit:

SUBSTITUTE FOR H. J. R. 72

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when the two Houses adjourn today, Thursday, February 17, 1983, they adjourn to meet again on Friday, February 18, 1983, and when they adjourn on Friday, February 18, 1983, they adjourn to meet again on Tuesday, February 22, 1983.

Which was adopted.

And on motion of Senator deGraffenried, said Resolution, H.J.R. 72, as amended, by the substitute, was then concurred in and adopted by the Senate.

RECESS

At 10:50 P.M., on motion of Senator deGraffenried, the Senate took a recess to return upon the call of the Chair.

At 11:50 P.M., the Senate was called to order by President Pro Tempore Teague. A quorum of the Senate was present.

ADJOURNMENT

At 11:55 P.M., on motion of Senator deGraffenried, in accordance with motion and Resolution heretofore adopted, the Senate adjourned until Friday, February 18, 1983, at 9 o'clock A.M.

SEVENTH LEGISLATIVE DAY**FRIDAY, FEBRUARY 18, 1983**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

PRAYER

The Session was opened with prayer by Mr. Charles Moore, Deacon, Hall Memorial C.M.E. Church, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Bishop	Dixon	Menton
Aldridge	Cooley	Foshee	Mitchem
Amari	Corbett	Harrison	Parsons
Bachus	Covington	Keener	Smith (J)
Bailey	deGraffenried	Little	Teague
Barron			

—20

JOURNAL

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Sixth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,
Chairperson.

COMMITTEE REPORT

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Sixth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Senator deGraffenried, leave of absence was granted Senators Bedford, Bedsole, Boyington, Cabaniss, Denton, Figures, Goodwin, Hilliard, Holmes, Kirkland, Mitchell, Pearson, Proctor, Robertson, and Smith (B) for today.

REPORTS OF COMMITTEES

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Turnham:

H. 17. To provide for the supplemental appropriation and allocation to the Board of Heating and Air Conditioning Contractors for the 1982-1983 state fiscal year ending September 30, 1983, of an amount up to \$65,000.00, from the Board of Certification of Heating and Air Conditioning Contractors Fund in the state treasury for the purpose of salaries and other expenses; to provide for retroactive effect; and to provide that monies remaining in said fund on September 30, 1983, shall revert to the State General Fund.

By Rep. Holley:

H. 22. To make a continuing appropriation to the State Comptroller from the Fair Trial Tax Fund for the cost of administration of that fund.

Senator Dixon, Vice-Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Turnham:

H. 5. To amend § 16-25-14(i), Code of Alabama 1975 relating to the Teachers' Retirement System of Alabama and § 16-27-16(e), Code of Alabama 1975, relating to the Employees' Retirement System of Alabama, so as to change from five years to two years the time required for certain members who have been restored to active service, to continue in service before again becoming a member of either System.

By Rep. Coburn:

H. 24. To amend Sections 36-22-42 and 36-22-43, Code of Alabama 1975, which provides for deductions from sheriffs' salaries and retirement payments for retired sheriffs, so as to increase said deductions and payments.

By Reps. Moore and Wilson:

H. 32. To amend Section 11-47-16, Code of Alabama 1975, relating to the power of cities and towns to acquire sites for, construct and operate public cultural facilities, so as to include counties and to further qualify the necessity for such acquisition and construction.

By Reps. Holley, Drake, Johnson (Roy), Casey, Coburn, Blake and Moore:

H. 36. To create and establish the Department of Economic and Community Affairs; to provide that: The Office of State Planning and Federal Programs, as created and provided for by Sections 41-9-205 through 41-9-214, Code of Alabama 1975; the Alabama Department of Energy, as created and provided for by Sections 41-6A-1 through 41-6A-11, Code of Alabama 1975; The Alabama Law Enforcement Planning Agency as created and provided for by Sections 41-8A-1 through 41-8A-13, Code of Alabama 1975; the State Manpower Planning Council and CETA Manpower services, as created and provided for by federal laws and Executive Order No. 16, 1971; and the Office of Employment and Training, as created and provided for by federal laws and Executive Order No. 34, 1980, are merged into and shall be transferred to said Department of Economic and Community Affairs; to provide that all functions, duties, responsibilities, authority, assets, liabilities, contractual rights and obligations, property rights, appropriations, employees, property and supplies are vested in and transferred to the new

agency; to continue the employment and rights and benefits of certain classified employees, whose job classifications are not abolished hereby, to provide for the appointment, term, compensation, duties and authority of the director of the Department of Economic and Community Affairs; to specifically continue the provisions of law relating to any councils and boards and advisory boards of: Title 41, Chapter 6A, Code of Alabama 1975 relating to the Alabama Energy Management Act of 1980; Title 41, Chapter 9, Article 8A, Code of Alabama 1975, relating to the Office of State Planning and Federal Programs; the State Manpower Planning Council (CETA); and the Office of Employment and Training; to provide that each of the merged agencies within the said new agency shall be divided into divisions; to provide for divisions and division chiefs and their appointment; and to provide for the change of the name of the State Manpower Planning Council (CETA) to the Office of Employment and Training and to transfer the functions of such council.

By Rep. Coburn:

H. 23. Prescribing certain procedures for distribution of revenues to counties and municipalities by state agencies.

Senator Keener, Chairperson of the Standing Committee on Business and Labor Relations, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Albright and Ashley:

H. 11. To amend Sections 25-4-10, 25-4-16, 25-4-32, 25-4-51, 25-4-52, 25-4-54, 25-4-70, 25-4-72, 25-4-73, 25-4-74, 25-4-77, 25-4-78, 25-4-91, 25-4-130, 25-4-132, 25-4-133 and 25-4-145, Code of Alabama 1975, as last amended, (The Alabama Unemployment Compensation Act), so as to extend the exemption from the definition of "employment" services performed by certain aliens until January 1, 1984; to remove age restrictions for exemption from coverage of a full time student participating in a work study program, to exclude from coverage certain qualified real estate agents and direct sellers; to increase the taxable wage base to \$8,000 and to provide for its retroactive effect to January 1, 1983; to clarify exemption/non-exemption of wages into or from a tax deferred trust; to extend to 35 years the period during which certain moneys credited to the fund may be used for administrative purposes; to clarify certain provision and procedures dealing with governmental entities; to amend the amount of surety bond required from non-profit organizations; to provide for an experience rating charge upon payment of benefits equaling the claimant's weekly benefit amount; to increase employee tax to 1.0% and to provide for its retroactive effect to January 1, 1983; to increase the maximum tax rate for employers to 5.0% January 1, 1984 and to 5.4% January 1, 1985; to provide for an emergency surcharge on employers of 25% of the employer's computed tax rate (limited to an increase of 0.7 percent) and to provide for its retroactive effect to January 1, 1983 and to set criteria for the termination of such surcharge; to require denial of benefits between academic terms or years for non-professional employees of institutions of higher education under certain conditions and for retroactive payment of benefits to non-professional employees of any institution of education operated by a governmental or non-profit organization under certain conditions; to provide for an increase in weekly benefit amount to \$120 effective with weeks of unemployment commencing in benefit years beginning on or after the first Sunday of the first calendar

quarter which begins at least 90 days after the effective date of this act; to increase the minimum weekly benefit amount to \$22 effective the same date; to provide that the separation from a job subsequent to a voluntary quit, discharge for dishonest or criminal act or a discharge for misconduct after warning must be for a non-disqualifying reason (with wages equal to 10 times weekly benefit amount subsequent to a separation for criminal misconduct), increases the disqualification for industrial misconduct to 4-8 weeks, all effective with benefit years beginning 30 or more days after the effective date of this act; to authorize the director to collect overpayments, waive overpayments and to establish limitations of time on such actions; and to provide other minor non-controversial technical revisions.

By Reps. Albright, Coleman, Blake, Howard, Ashley, Thornton, and Trammell:

H. 33. To provide additional revenue from which to pay interest on funds advanced the Alabama Unemployment Compensation Trust Fund for the payment of benefits; to establish a special fund in the state treasury to receive such revenue; to provide for the accumulation of interest on monies deposited into the special fund; to authorize expenditures from the special fund; and to provide for its dissolution.

Senator Parsons, Chairperson of the Standing Committee on Education, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Bennett:

H. 8. To amend Section 16-22-6, Code of Alabama, 1975, so as to provide further for payroll deductions for educational employees and for Public Employees' Individual Retirement Account Fund (PEIRAF) created by Act 82-776.

Senator Foshee, Chairperson of the Standing Committee on Buildings and Grounds, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Adams:

H. 37. To provide further for the membership of the continuing legislative committee, known as the legislative council of the State of Alabama, so as to include the chairman of the rules committee in each the house and senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 13. To provide further for exemptions from the requirement of continuing legal education; to exempt the governor, lieutenant governor, Attorney General members of the legislature, secretary of the senate, clerk of the house, and employees of legislative reference service, should they be attorneys, from the requirement of mandatory continuing legal education.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1. TO PROVIDE FOR THE REAPPORTIONMENT OF THE TWO HOUSES OF THE ALABAMA LEGISLATURE BASED UPON THE 1980 CENSUS.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. Speaker:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Johnson (Roy):

H. J. R. 81. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when the House adjourns today, Thursday, February 17, 1983, that they adjourn to meet again on Tuesday, February 22, 1983.

BE IT FURTHER RESOLVED, That when the two houses adjourn today, Thursday, February 17, 1983, that the Senate adjourns to meet again on Friday, February 18, 1983, and when the Senate adjourns on Friday, February 18, 1983, they adjourn to meet again on Tuesday, February 22, 1983.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Teague, the Rules were suspended and the Resolution, H.J.R. 81, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTION

Senators Mitchem and Barron offered the following Senate Joint Resolution, to-wit:

S. J. R. 38. COMMENDING JACKSON COUNTY SHERIFF WILLIAM R. (BOB) COLLINS.

WHEREAS, former Sheriff William R. (Bob) Collins of Scottsboro, Alabama, a highly decorated combat veteran of World War II under General George Patton's command, is the only sheriff ever to be elected to four terms to the office of sheriff in Jackson County; and

WHEREAS, Sheriff Collins also was elected to each term without a run-off, and he now serves as supernumerary sheriff, Alabama's first former sheriff to elect to serve in said capacity; and

WHEREAS, a former businessman and State Trooper, Sheriff Collins is an active member of the First United Methodist Church of Scottsboro, member of the Alabama Sheriff's Boys and Girls Ranch and a member, past president and current executive committeeman of the Alabama Sheriff's As-

sociation; and

WHEREAS, he also is a member of the Alabama Peace Officers Association, Masonic Lodge Scottsboro No. 357, Cahaba Temple Shrine, Eastern Star Chapter No. 202, Cattlemen's Association, Jackson County Shrine Club, Hi Jackson F.O.P., American Legion Post No. 30, Fallen Comrades Post No. 6073 of the VFW and the Advisory Board of Northeast Junior College; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend, most highly, Jackson County Sheriff William R. (Bob) Collins on his outstanding law enforcement career and his numerous community activities.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Sheriff Collins that he may be aware of our sincere praise, deep appreciation and regard.

On motion of Senator Barron, the Rules were suspended and the Resolution was adopted by the Senate.

MOTION TO ADJOURN

Senator Little moved that when the Senate adjourns today, it adjourns to meet again on Tuesday, February 22, 1983, at 12 o'clock Noon, which motion was adopted.

BILLS ON THIRD READING

The Bill:

H. 31. Relating to Wilcox County; to set the compensation for certain clerks in the probate judge's office; to provide for pay periods, source of funding and for retroactive effect.

was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Senators:	Barron	Foshee	Mitchem
Aldridge	Bishop	Harrison	Parsons
Amari	Cooley	Keener	Smith (J)
Bachus	Corbett	Little	Teague
Bailey	Dixon	Menton	

—18

Nays:

—0

RECESS

At 9:20 A.M., on motion of Senator Foshee, the Senate took a recess to return upon the call of the Chair.

At 9:25 A.M., the Senate was called to order by Lieutenant Governor Baxley. A quorum of the Senate was present.

REPORTS OF COMMITTEES RESUMED

Senator Smith (J), Chairperson of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Johnson (Roy):

H. 25. To amend Section 36-17-8 of the Code of Alabama 1975 as amended by Act 83-78 relating to the procedures for the State Treasurer in paying principal and interest on bonded indebtedness by a fiscal agent and more specifically to alter Section 1(c) dealing with the number of fiscal agents so as to make this subsection conform to other sections of the code.

ADJOURNMENT

At 9:30 A.M., on motion of Senator deGraffenried, in accordance with motion and Resolution heretofore adopted, the Senate adjourned until Tuesday, February 22, 1983, at 12 o'clock Noon.

**EIGHTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 22, 1983**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

PRAYER

The Session was opened with prayer by Mr. Don Mathis, Minister, Druid Hills Church of Christ, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Boyington	Foshee	Mitchell
Aldridge	Cabaniss	Goodwin	Mitchem
Amari	Cooley	Harrison	Parsons
Bachus	Corbett	Hilliard	Pearson
Bailey	Covington	Holmes	Proctor
Barron	deGraffenried	Keener	Robertson
Bedford	Denton	Kirkland	Smith (B)
Bedsole	Dixon	Little	Smith (J)
Bishop	Figures	Menton	Teague

—35

JOURNAL

On motion of Senator Denton, the reading of the Journal of yesterday was dispensed with.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Seventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,
Chairperson.

COMMITTEE REPORT

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Seventh Legislative Day was approved by the Senate.

RESOLUTION

Senators Foshee, Bishop, Teague, Kirkland, and Covington offered the following Senate Joint Resolution, to-wit:

S. J. R. 39. CREATING A JOINT INTERIM COMMITTEE OF THE LEGISLATURE TO STUDY THE PROBLEMS CONCERNING AUBURN UNIVERSITY.

WHEREAS, the current problems facing Auburn University, including faculty unrest concerning the president, have recently received much coverage by the news media; and

WHEREAS, the reason for the continuation of said problems and unrest in the headlines is questioned by the legislature; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it being the concern of all the citizens of this state for this great institution, the legislature wants the current problems and unrest at Auburn University thoroughly investigated.

BE IT FURTHER RESOLVED, That, an interim committee of the legislature shall be created consisting of four members of each house to be appointed by the respective presiding officer, with the power and authority to elect their own chairman, set their own rules, subpoena witnesses, and to receive the usual legislative pay and per diem, with the clerk of the house and the secretary of the senate to furnish the necessary clerical help therefor.

BE IT FURTHER RESOLVED, That the joint interim committee created hereby report to the legislature from time to time in order to keep the members informed as to the nature of the problems and to make recommendations for the solution thereof.

Which was read and referred to the Standing Committee on Rules.

RESOLUTIONS

Senator Parsons offered the following Senate Resolution, to-wit:

S. R. 40. HONORING BELLE STODDARD, BIRMINGHAM, ALABAMA, ON PASSING THE "BIG FOUR 0."

Which was adopted.

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 41. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the eighth legislative day of the 1983 Second Special Session only:

BILL NO.	PAGE NO.	DESCRIPTION
H. B. 33	10	Alabama Unemployment Compensation Trust Fund
H. B. 25	12	Relating to procedures for the State Treasurer
H. B. 37	11	To prov. further for the membership of the cont. legislative comm, known as the legislative council of the state of Alabama
H. B. 6	3	Def. the criminal offense of second degree arson.
H. B. 14	4	To prov. for visitation rights of grandparents
H. B. 36	7	To create and est. the Dept. of Economic and Community Affairs.
H. B. 8	11	Payroll deductions for ed. employees & public employees

H. B. 11	9	The Alabama Unemployment Compensation Act.
H. B. 17	5	Rel to Bd. of Heating & Air Cond.
H. B. 24	6	Sheriffs salaries
H. B. 32	7	To acquire cultural fac.

On motion of Senator Bishop, said Resolution was then adopted by the Senate.

Senator Smith (B) offered the following Senate Joint Resolution, to-wit:

S. J. R. 42. COMMENDING THE HUNTSVILLE ALABAMA CITY COUNCIL ON ITS INITIATIVE APPROACH TO A GOAL OF COMBATING THE DRUNK DRIVER PROBLEM IN THE CITY OF HUNTSVILLE.

WHEREAS, the Huntsville, Alabama, City Council is indeed to be commended on the creation of a Steering Committee to study the feasibility of a Task Force to establish means of combating the problem of drunk drivers; and

WHEREAS, the committee was created in response to a request of the Huntsville-Madison County Chapter of Mothers Against Drunk Drivers, an organization strongly supported by the council for its past and continuing efforts to effectively attack a problem in the City of Huntsville that, in 1981, had escalated to the highest per capita alcohol-related accident rate in the entire state; and

WHEREAS, with the establishment of said Steering Committee, the Huntsville City Council has taken an affirmative first step toward coordinating efforts to improve public policies with respect to drunk driving and substance abuse which further contributes to the overall problem; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend the members of the City Council of the City of Huntsville, Alabama, for their establishment of a Steering Committee to study the feasibility of the formation of a Task Force to establish effective methods of attack against the drunk driver problem in their area.

On motion of Senator Smith (B), the Rules were suspended and the Resolution was adopted by the Senate.

Senator Smith (B) then offered the following Senate Joint Resolution, to-wit:

S. J. R. 43. CREATING A JOINT LEGISLATIVE COMMITTEE ON INDUSTRIAL EXPANSION, ECONOMIC GROWTH AND JOBS AND REPEALING ACT NO. 91, SJR 3, FIRST SPECIAL SESSION.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there shall be joint study committee on industrial expansion, economic growth, and jobs, which shall be a continuing committee to make a study of any and all aspects of industrial expansion, economic growth, and development, and jobs in the state, hold hearings and inquire into ways and means of improving conditions in the aforementioned areas. The committee shall make a report to the legislature

before the 25th legislative day of all future regular sessions of the legislature.

BE IT FURTHER RESOLVED, That the committee shall consist of the members of the Senate Committee on Industrial Expansion, Economic Growth, and Jobs and the House Committee on Commerce and Industrial Development. The chairman of the Senate Committee on Industrial Expansion, Economic Growth, and Jobs shall serve as the Chairman of this committee, and the chairman of the House Committee on Commerce and Industrial Development shall serve as Vice-chairman. The chairman of the committee shall set the schedule and program for committee work, shall fix the days and hours of meeting and conducting hearings and examining witnesses who appear before the committee and may appoint subcommittees and invest them with such authority as may be necessary to conduct the committee's business and expedite its work. Each legislative member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the legislature, upon warrants drawn on the state comptroller upon requisition signed by the committee's chairman; provided, however, that members shall not receive additional legislative compensation or per diem when the legislature is in session or if a member is being paid any other payments on the same dates for attendance of other state business. Out of state travel will be allowed for the members of the committee but must be approved by the chairman of the committee and the Lieutenant Governor for the members of the Senate and the Speaker for members of the House. The committee may employ such clerical and expert assistance as the committee may find necessary in performing its duties. Additional assistance shall be provided by the Legislative Reference Service and the Legislative Fiscal Office. The total of all expenses for the committee shall not exceed \$30,000.00.

RESOLVED FURTHER, That Act No. 91, S.J.R. 3, 1983 First Special Session is hereby repealed.

On motion of Senator Smith (B), the Rules were suspended and the Resolution was adopted by the Senate.

Senator Bishop offered the following Senate Joint Resolution, to-wit:

S. J. R. 44. DESIGNATING THE MUSEUM PROPOSED BY ALABAMA MINING MUSEUM, INCORPORATED, AS THE OFFICIAL STATE COAL MINING MUSEUM OF ALABAMA.

WHEREAS, a proposal of the Board of Directors of Alabama Mining Museum, Incorporated, would provide for the establishment of a coal mining museum in Dora, Alabama, the center of our State's coal mining industry, as the first and only such museum of its kind in Alabama; and

WHEREAS, upon completion the museum would house an extensive array of historically authentic coal mining tools and equipment, as well as replicas of same, and would otherwise tell, through exhibits and displays, the history of this major industry in the State of Alabama; and

WHEREAS, not only would such a museum stand as a monument to Alabama's coal mining industry and to our State's awesome deposits of this vital natural resource, but would also serve to promote tourism in Alabama and, at the same time, impart a better understanding of the importance of our coal mining industry; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH

HOUSES THEREOF CONCURRING, That the proposed museum to be located in Dora, Alabama, and established by Alabama Mining Museum, Incorporated, is hereby designated and shall forever be known as the official State Coal Mining Museum of Alabama.

On motion of Senator Bishop, the Rules were suspended and the Resolution was adopted by the Senate.

SPECIAL ORDER
BILLS ON THIRD READING

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

H. 33. To provide additional revenue from which to pay interest on funds advanced the Alabama Unemployment Compensation Trust Fund for the payment of benefits; to establish a special fund in the state treasury to receive such revenue; to provide for the accumulation of interest on monies deposited into the special fund; to authorize expenditures from the special fund; and to provide for its dissolution.

On motion of Senator deGraffenried, further consideration of the Bill, H.B. 33, was postponed temporarily.

RESOLUTIONS

Senator Dixon offered the following Senate Joint Resolution, to-wit:

S. J. R. 45. CREATING A JOINT INTERIM COMMITTEE TO OVERSEE THE IMPLEMENTATION OF ACT NO. 80-381, WHICH CREATED THE ALABAMA HUMAN RESOURCES BOARD.

WHEREAS, the Legislature of Alabama, on May 7, 1980, passed Act No. 80-381, S. 318, 1980 Regular Session, which established the Alabama Human Resources Board; and

WHEREAS, the legislative intent of this Act was to utilize all available manpower in the state; and

WHEREAS, when the Act was passed, the Department of Health and Human Services rules that it was contrary to existing federal law; and

WHEREAS, in 1981, the U. S. Congress passed the Omnibus Reconciliation Act, P.L. 97-35, which so altered federal statutes that Act No. 80-381 is no longer inconsistent with them: now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a Joint Interim Oversight Committee of the Legislature to monitor the implementation of Act No. 80-381, S. 318, 1980 Regular Session. The committee shall be composed of three members of the House and three members of the Senate, to be appointed by the presiding officer of each body. The chairman and vice chairman of the committee shall be elected at the first meeting by the members of the committee.

BE IT FURTHER RESOLVED, That upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. Each member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee, which shall be paid out of any funds appropriated to the

use of the legislature, upon warrants drawn on the state comptroller upon requisitions signed by the committee's chairman. Total expenditures of the committee shall not exceed \$7,000.00.

The Committee shall be dissolved at the end of this Legislative term.

On motion of Senator Dixon, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Covington offered the following Senate Resolution, to-wit:

S. R. 46. COMMENDING MR. AND MRS. JOHN PEARCY GRANTHAM OF DALE COUNTY, ALABAMA, ON THE OCCASION OF THEIR 71ST WEDDING ANNIVERSARY.

Which was adopted.

Senator Cooley offered the following Senate Joint Resolution, to-wit:

S. J. R. 47. CREATING THE CULLMAN COUNTY ELECTED OFFICIALS SALARY COMMISSION.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there be and hereby is established in Cullman County, a commission to be known as the Cullman County Elected Officials Salary Commission, hereinafter called "the commission." The commission shall be composed of six members to be selected by the Cullman County legislative delegation. Appointments shall serve at the pleasure of the appointing authority and vacancies shall be filled by the appointing authority. The commission shall select a chairman. The commission shall make its own rules for the conduct of business. Meetings shall be held at the call of the chairman. Members of the commission shall serve without compensation. Administrative support shall be provided by the Cullman County Legislative Office.

The objective of the commission will be to provide information and recommendation regarding salaries of Cullman County elected officials. The specific objectives of the commission shall be described by the Cullman County Legislative Delegation.

On motion of Senator Cooley, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 25. To amend Section 36-17-8 of the Code of Alabama 1975 as amended by Act 83-78 relating to the procedures for the State Treasurer in paying principal and interest on bonded indebtedness by a fiscal agent and more specifically to alter Section 1(c) dealing with the number of fiscal agents so as to make this subsection conform to other sections of the code. was taken up.

The Standing Committee on Banking and Insurance reported the following amendment to the Bill, H.B. 25, to-wit:

COMMITTEE AMENDMENT TO H.B. 25

Amend House Bill No. 25, Page 2, Line 11, by striking out after the word "within" the words "the City of New York." and in lieu thereof insert the following:

“the Continental United States.”

On motion of Senator Harrison, further consideration of the Bill, H.B. 25, and pending amendment, was postponed temporarily.

FURTHER CONSIDERATION OF H. B. 33

The Senate proceeded to further consideration of the Bill, H.B. 33.

On motion of Senator Keener, further consideration of the Bill, H.B. 33, was postponed temporarily.

BILLS ON THIRD READING RESUMED

The Bill:

H. 37. To provide further for the membership of the continuing legislative committee, known as the legislative council of the State of Alabama, so as to include the chairman of the rules committee in each the house and senate.

was taken up.

Senator Teague offered the following substitute for the Bill, H.B. 37, to-wit:

SUBSTITUTE FOR H. B. 37

A BILL TO BE ENTITLED AN ACT

To provide further for the membership of the continuing legislative committee, known as the legislative council of the state of Alabama, so as to include the chairman of the rules committee in both the house and senate, and the chairman of the house local government committee, and the chairman of the senate governmental affairs committee.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to any and all other provisions of law relating to the membership of the legislative council, such membership shall be increased to include the chairman of the senate rules committee and the chairman of the house rules committee, and the chairman of the house local government committee, and the chairman of the senate governmental affairs committee. Each such member shall be entitled to any and all other benefits, privileges, powers and rights with the same obligations and duties as provided by law for all other members.

Section 2. The provisions of this act shall be construed in para materia with all other provisions of law relating to the legislative council of the state of Alabama; provided, however, that only any laws or parts of laws which are in direct conflict herewith are hereby repealed.

Section 3. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Bailey	Corbett	Goodwin	Mitchell	
Barron	Covington	Harrison	Mitchem	
Bedford	deGraffenried	Holmes	Robertson	
Bedsole	Denton	Keener	Smith (B)	
Bishop	Dixon	Kirkland	Teague	
Boyington	Figures	Little		—26

Nays: —0

And said Bill, H.B. 37, as thus amended by the substitute, was read a third time at length and passed.

Yeas 24; Nays 0.

Abstaining 1.

Yeas:

Senators:	Cooley	Harrison	Mitchell	
Bailey	deGraffenried	Holmes	Mitchem	
Barron	Dixon	Keener	Parsons	
Bedford	Figures	Kirkland	Robertson	
Bedsole	Foshee	Little	Smith (B)	
Bishop	Goodwin	Menton	Teague	
Boyington				—24

Nays: —0*Abstaining:* Senator Bachus —1**FURTHER CONSIDERATION OF H. B. 33**

The Senate proceeded to further consideration of the Bill, H.B. 33.

And said Bill, H.B. 33, was read a third time at length and passed.

Yeas 29; Nays 0.

Abstaining 1.

Yeas:

Senators:	Cooley	Harrison	Parsons	
Aldridge	Corbett	Holmes	Pearson	
Bailey	Covington	Keener	Proctor	
Bedford	deGraffenried	Kirkland	Robertson	
Bedsole	Denton	Little	Smith (B)	
Bishop	Figures	Mitchell	Smith (J)	
Boyington	Foshee	Mitchem	Teague	
Cabaniss	Goodwin			—29

Nays: —0*Abstaining:* Senator Barron —1**FURTHER CONSIDERATION OF H. B. 25**

The Senate proceeded to further consideration of the Bill, H.B. 25. The question was on the Committee amendment.

On motion of Senator Smith (J), further consideration of the Bill, H.B. 25, and pending amendment, was postponed temporarily.

BILLS ON THIRD READING RESUMED

The Bill:

H. 6. To amend Section 13a-7-42 of the Code of Alabama 1975, defining the criminal offense of second degree arson, so as to provide further for such offense.

was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Mitchell
Aldridge	Corbett	Goodwin	Mitchem
Bachus	Covington	Harrison	Parsons
Bailey	deGraffenried	Holmes	Proctor
Barron	Denton	Keener	Smith (B)
Bedford	Dixon	Kirkland	Smith (J)
Bedsole	Figures	Little	Teague
Boyington			—28

Nays:

—0

REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 39. CREATING A JOINT INTERIM COMMITTEE OF THE LEGISLATURE TO STUDY THE PROBLEMS CONCERNING AUBURN UNIVERSITY.

And on motion of Senator Foshee, said Resolution was then adopted by the Senate.

RESOLUTIONS

Senators Bailey and Covington offered the following Senate Joint Resolution, to-wit:

S. J. R. 48. COMMENDING DALE COUNTY SHERIFF JAMES BRYANT MIXON FOR MERITORIOUS PROFESSIONAL ACCOMPLISHMENT.

WHEREAS, of recent note in Alabama, and indeed in the entire United States, was the discovery, near Ozark, Alabama, of perhaps the largest drug operation in the entire Southeast and one of the largest in the nation; and

WHEREAS, primarily as a result of an extensive investigation by Dale County Sheriff James Bryant Mixon, officials confiscated some 7,000 or more marijuana plants with a potential street value of perhaps \$3 million; and

WHEREAS, also seized during the discovery and search were \$250,000 worth of property, buildings and equipment used in connection with the tremendous marijuana cultivation and processing operation; and

WHEREAS, Sheriff Mixon who was most instrumentally responsible for the success of this tremendous drug "bust" is a Dale County native,

attended schools in Ozark and is a United States Air Force veteran having served in Thailand during the Viet Nam Conflict; and

WHEREAS, he is a graduate of Auburn University with a B.S. degree in Criminal Justice, of Troy State University where he earned his Masters' degree and, prior to his election as Sheriff in 1982, had served for several years with the Department of Youth Services in Dale County; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most sincerely praise and commend Sheriff James Bryant Mixon of Dale County, Alabama, for meritorious professional accomplishment and as one of our State's most outstanding law enforcement officers.

BE IT FURTHER RESOLVED, That Sheriff Mixon be presented with a copy of this resolution, evidencing our utmost admiration and deep appreciation for his most significant contribution to the safety and well being of the citizens of this State.

On motion of Senator Bailey, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Bailey then offered the following Senate Joint Resolution, to-wit:

S. J. R. 49. DEDICATING TROOP K, DRIVER LICENSE OFFICE AT DOTHAN IN MEMORY OF TROOPER MARVETTE HOLMES.

WHEREAS, Trooper Marvette Holmes served as a State Trooper from November 1963; he transferred to the Driver License Division, Department of Public Safety in 1970, where he served until his death in July 1982; and

WHEREAS, he served the people of Alabama with integrity and dedication throughout his law enforcement career; Trooper Holmes was a man of highest morals and performed his duties in a fair and impartial manner that commanded respect from his fellow officers and those he served; and

WHEREAS, Trooper Holmes was always prepared to serve in emergencies, to assist his fellowman in whatever capacity necessary, to stay and keep the task under control until relieved or the task was completed; and

WHEREAS, construction was completed in the summer of 1982, but Trooper Holmes never worked in the Driver License Office at Dothan due to a fatal heart attack; and

WHEREAS, to honor Trooper Marvette Holmes, the Driver License Division, Department of Public Safety has approved the dedication of the Troop K, Driver License Office located at Dothan as a memorial to Trooper Marvette Holmes, a servant to his fellowman who served with honesty and integrity from 1963 until 1982; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Troop K, Driver License Office at Dothan is hereby dedicated in memory of Trooper Marvette Holmes.

BE IT FURTHER RESOLVED, That proper authorities are authorized to place in said office an appropriate plaque and portrait as a permanent reminder of this memorial.

On motion of Senator Bailey, the Rules were suspended and the Reso-

lution was adopted by the Senate.

MOTION TO RECONSIDER

Senator Little moved that the Senate reconsider the vote by which the Resolution, S.J.R. 39, was adopted.

On motion of Senator Foshee, the motion to reconsider was laid on the table.

Yeas 16; Nays 12.

Yeas:

Senators:	Cooley	Holmes	Robertson	
Aldridge	Corbett	Keener	Smith (B)	
Bailey	Covington	Kirkland	Smith (J)	
Barron	Foshee	Mitchell	Teague	
Bishop				—16

Nays:

Senators:	Boyington	Dixon	Mitchem	
Bachus	deGraffenried	Goodwin	Parsons	
Bedford	Denton	Little	Proctor	
Bedsole				—12

RESOLUTIONS

Senator Denton offered the following Senate Resolution, to-wit:

S. R. 50. HONORING DR. CHARLES COIL, PRESIDENT, INTERNATIONAL BIBLE COLLEGE.

Which was adopted.

Senator Little offered the following Senate Resolution, to-wit:

S. R. 51. HONORING MR. AND MRS. WILLIAM JESS HALL, SR., OF DADEVILLE, ALABAMA, ON THEIR 60TH WEDDING ANNIVERSARY.

Which was adopted.

FURTHER CONSIDERATION OF H. B. 25

The Senate proceeded to further consideration of the Bill, H.B. 25. The question was on the Committee amendment.

And said amendment was then adopted.

Yeas 28; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Mitchell	
Aldridge	Corbett	Goodwin	Mitchem	
Bachus	Covington	Holmes	Parsons	
Bailey	deGraffenried	Keener	Proctor	
Bedford	Denton	Kirkland	Smith (B)	
Bedsole	Dixon	Little	Smith (J)	
Bishop	Figures	Menton	Teague	
Boyington				—28

Nays:

—0

And said Bill, H.B. 25, as thus amended, was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Mitchell	
Aldridge	Cooley	Goodwin	Mitchem	
Bachus	Corbett	Holmes	Parsons	
Bailey	Covington	Keener	Proctor	
Barron	deGraffenried	Kirkland	Smith (B)	
Bedsole	Denton	Little	Smith (J)	
Boyington	Dixon	Menton	Teague	—27

Nays:

—0

BILLS ON THIRD READING RESUMED

The Bill:

H. 14. To provide further for visitation rights of grandparents of minor children in certain cases of divorce or death and repeals Section 30-3-3, Code of Alabama 1975.

was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Senators:	Boyington	Denton	Mitchell	
Aldridge	Cabaniss	Dixon	Mitchem	
Bachus	Cooley	Goodwin	Parsons	
Bailey	Corbett	Holmes	Smith (B)	
Barron	Covington	Keener	Smith (J)	
Bedford	deGraffenried	Little	Teague	—24
Bedsole				

Nays:

—0

RESOLUTIONS

Senators Bailey and Corbett offered the following Senate Joint Resolution, to-wit:

S. J. R. 52. REQUESTING THAT THE SECRETARY OF THE ARMY EXERCISE HIS AUTHORITY TO MAINTAIN NAVIGATION ON THE APALACHICOLA RIVER.

WHEREAS, Tri-Rivers Waterway Development Association has petitioned the Secretary to exercise his authority to maintain navigation on the Apalachicola River, citing his authority under the Federal Clean Water Act; and

WHEREAS, the Florida Department of Environmental Regulation (DER) is withholding the granting of a permit for the Corps of Engineers to remove rocks from the navigation channel despite the fact that the DER finds no biological or hydrological reason to deny the permit. DER maintains that the proposal must meet the approval of adjacent Florida counties and that the counties do not have to give reasons; and

WHEREAS, Congress authorized a 9 by 100 foot channel from Columbus, Ga., and Phenix City, Alabama, via the Apalachicola to the Gulf of

Mexico in 1946. The channel has been assured in the Alabama and Georgia segment of the waterway but still has not been achieved in the 107 mile long Florida segment, due largely to objections by Florida. Tri-Rivers counsel terms the Florida objections "arbitrary and capricious"; and

WHEREAS, the current rock relocation project came about as a partial measure to increase channel depth during low water periods after Florida had rejected all structural solutions proposed by the Corps; and

WHEREAS, private industries in Alabama and Georgia have invested more than \$3.5 billion in facilities along the waterway on the promise that the authorized channel would be provided; and

WHEREAS, the availability of cheap barge transportation reduces the price farmers pay for fertilizer throughout the Tri-State area and increases the price they receive for soybeans, corn and wheat sold at river grain elevators; and

WHEREAS, attaining the authorized channel, according to Corps of Engineers projections, would make a difference in 1990 of 32,689 industrial and related service jobs with earnings of \$280,647,360. Alabama and Georgia has the greatest stake in these jobs, since 89 percent of the increase would take place in Alabama and Georgia; and

WHEREAS, clearly, Florida is hindering interstate commerce and preventing badly needed economic growth in the two neighboring states; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, Respectfully requests that the Secretary of the Army exercise his authority to maintain navigation on the Apalachicola River.

On motion of Senator Bailey, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Bedsole, Boyington, and Menton offered the following Senate Joint Resolution, to-wit:

S. J. R. 53. URGING THE MOBILE COUNTY COMMISSION TO ASSUME ITS CONSTITUTIONAL RESPONSIBILITY IN PROVIDING AID TO THE UNIVERSITY OF SOUTH ALABAMA MEDICAL CENTER.

WHEREAS, the Mobile County Public Hospital Board was incorporated as a public corporation pursuant to Act No. 46, S. 154, 1949 Regular Session of the Legislature; and

WHEREAS, in the 1967 Regular Session, by Act No. 770, H. 698, all the authority, powers, liabilities, duties and functions of the Mobile County Public Hospital Board was transferred to the University of South Alabama Hospital; and

WHEREAS, the University of South Alabama Medical Center has provided the city and county of Mobile with emergency medical services; the medical center's emergency room being the main trauma center for southwest Alabama; and

WHEREAS, the Medical Center has performed a humanitarian duty in providing medical services to the indigent, poor and needy; and

WHEREAS, courts have held that the government has a mandatory

and imperative duty to make suitable provision for its needy citizens who are unable to provide for themselves, and laws to that end fall within the police power of the state; and

WHEREAS, the power of the county to take care of the poor is the power of the state delegated to the county; and

WHEREAS, Section 88 of the Constitution of Alabama of 1901, provides that the several counties of the state are charged with the duty to make adequate provision for the maintenance of the poor; and

WHEREAS, Amendment No. 275 to the Constitution of Alabama of 1901 provides that the governing body and any city or town in Mobile County may from time to time appropriate county or municipal funds, as the case may be, for the use and benefit of any public hospital located in the county; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby urge that the Mobile County Commission accept its constitutional responsibility and grant financial aid from time to time, to the University of South Alabama Medical Center so that the main emergency room in the city and county may be able to remain open seven days a week and provide medical services to the poor, needy and indigent.

On motion of Senator Bedsole, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 36. To create and establish the Department of Economic and Community Affairs; to provide that: The Office of State Planning and Federal Programs, as created and provided for by Sections 41-9-205 through 41-9-214, Code of Alabama 1975; the Alabama Department of Energy, as created and provided for by Sections 41-6A-1 through 41-6A-11, Code of Alabama 1975; The Alabama Law Enforcement Planning Agency as created and provided for by Sections 41-8A-1 through 41-8A-13, Code of Alabama 1975; the State Manpower Planning Council and CETA Manpower services, as created and provided for by federal laws and Executive Order No. 16, 1971; and the Office of Employment and Training, as created and provided for by federal laws and Executive Order No. 34, 1980, are merged into and shall be transferred to said Department of Economic and Community Affairs; to provide that all functions, duties, responsibilities, authority, assets, liabilities, contractual rights and obligations, property rights, appropriations, employees, property and supplies are vested in and transferred to the new agency; to continue the employment and rights and benefits of certain classified employees, whose job classifications are not abolished hereby, to provide for the appointment, term, compensation, duties and authority of the director of the Department of Economic and Community Affairs; to specifically continue the provisions of law relating to any councils and boards and advisory boards of: Title 41, Chapter 6A, Code of Alabama 1975, relating to the Alabama Energy Management Act of 1980; Title 41, Chapter 9, Article 8A, Code of Alabama 1975, relating to the Office of State Planning and Federal Programs; the State Manpower Planning Council (CETA); and the Office of Employment and Training; to provide that each of the merged agencies within the said new agency shall be divided into divisions; to provide for divisions and division chiefs and their appointment; and to provide for the change of the name of the State Manpower Planning Council (CETA) to

the Office of Employment and Training and to transfer the functions of such council.

was taken up.

On motion of Senator Kirkland, further consideration of the Bill, H.B. 36, was postponed temporarily.

The Bill:

H. 8. To amend Section 16-22-6, Code of Alabama, 1975, so as to provide further for payroll deductions for educational employees and for Public Employees' Individual Retirement Account Fund (PEIRAF) created by Act 82-776.

was taken up.

Senator Keener offered the following amendment to the Bill, H.B. 8, to-wit:

AMENDMENT TO H. B. 8

Amend H.8 by deleting Section 5, on Page 2, in its entirety and by inserting in lieu thereof the following:

This Act shall become effective October 1, 1983.

On motion of Senator Parsons, said amendment was laid on the table.

Yeas 16; Nays 12.

Yeas:

Senators:	Corbett	Harrison	Proctor
Barron	deGraffenried	Holmes	Robertson
Bedford	Denton	Mitchell	Smith (J)
Bishop	Foshee	Parsons	Teague
Cooley			

—16

Nays:

Senators:	Bedsole	Dixon	Keener
Aldridge	Boyington	Goodwin	Mitchem
Bachus	Cabaniss	Hilliard	Smith (B)
Bailey			

—12

Senator Bachus offered the following amendment to the Bill, H.B. 8, to-wit:

AMENDMENT TO H. B. 8

Amend H.8 by inserting new language at the end of Section 1 as follows:

No employing public board or agency, nor the individual members thereof, shall be liable for any action taken or not taken under provisions of this act. Organizations benefitting from dues and contributions authorized by this act shall indemnify and hold harmless said public boards and agencies and their members against and from any and all claims, demands, suits or other forms of liability that may arise out of or for reason of action taken or not taken by the public boards or agencies.

On motion of Senator Parsons, said amendment was laid on the table.

On motion of Senator Kirkland, further consideration of the Bill, H.B.

8, was postponed temporarily.

FURTHER CONSIDERATION OF H. B. 36

The Senate proceeded to further consideration of the Bill, H.B. 36.

RESOLUTIONS

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 54. COMMENDING MISS RAMONA BAKER, EXECUTIVE DIRECTOR OF THE ARTS COUNCIL OF HUNTSVILLE, ALABAMA.

Also:

S. R. 55. COMMENDING MR. HARRY L. PENNINGTON OF HUNTSVILLE, ALABAMA.

Which were adopted.

FURTHER CONSIDERATION OF H. B. 36

The Senate proceeded to further consideration of the Bill, H.B. 36.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 1. TO PROVIDE FOR THE REAPPORTIONMENT OF THE TWO HOUSES OF THE ALABAMA LEGISLATURE BASED UPON THE 1980 CENSUS.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 79. COMMENDING MR. ROBERT H. BOSWELL, DIRECTOR OF THE BIRMINGHAM POLICE DEPARTMENT ATHLETIC TEAM.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing

House Joint Resolution, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 81. Relative to meeting dates for the House and Senate from Thursday, February 17, 1983 thru Tuesday, February 22, 1983.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 13. To provide further for exemptions from the requirement of continuing legal education; to exempt the governor, lieutenant governor, Attorney General members of the legislature, secretary of the senate, clerk of the house, and employees of legislative reference service, should they be attorneys, from the requirement of mandatory continuing legal education.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 36

The Senate proceeded to further consideration of the Bill, H.B. 36.

Senator Mitchem offered the following amendment to the Bill, H.B. 36, to-wit:

AMENDMENT TO H. B. 36

Amend House Bill 36 on page 1, line 15 in the synopsis after the comma following the word "(CETA)"; and on page 3, line 15 after the word "Agency"; and on page 4, line 13 after the word "(CETA)"; and on page 5, line 19 after the word "Agency" insert the following:

“,the Office of Highway and Traffic Safety”

Further amend House Bill 36 on page 2, line 10 after the semicolon, insert the following:

“the Office of Highway and Traffic Safety as created and provided for by federal laws and Sections 32-4-1 through 32-4-7, Code of Alabama 1975;”

Further amend House Bill 36 on page 3, line 19 after “41-8A-13,” insert the following:

“Sections 32-4-1 through 32-4-7,”

Further Amend House Bill 36 on page 5, line 23, after the word “Agency”, insert the following:

“,the Office of Highway and Traffic Safety”

RESOLUTIONS

Senator Little offered the following Senate Resolutions, to-wit:

S. R. 56. COMMENDING DR. AND MRS. CLEVELAND L. ADAMS OF AUBURN, ALABAMA, ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

S. R. 57. MOURNING THE UNTIMELY DEATH OF MR. PHILIP TILLMAN, OF OPELIKA, ALABAMA.

Which were adopted.

FURTHER CONSIDERATION OF H. B. 36

The Senate proceeded to further consideration of the Bill, H.B. 36. The question was on the amendment offered by Senator Mitchem.

And said amendment was then adopted.

Yeas 20; Nays 3.

Yeas:

Senators:	Cabaniss	Denton	Little
Aldridge	Cooley	Figures	Mitchem
Bailey	Corbett	Foshee	Robertson
Barron	Covington	Goodwin	Smith(B)
Bedsole	deGraffenried	Holmes	Teague
Boyington			

—20

Nays: Senators: Amari, Parsons, Proctor

—3

Senator Mitchem then offered the following amendment to the Bill, H.B. 36, as amended, to-wit:

AMENDMENT TO H. B. 36, AS AMENDED

Amend House Bill 36, on page 5, after line 37 by inserting the following Section 7 and by renumbering the remaining sections accordingly.

“Section 7. Legislative Oversight Commission. (a) There is hereby created the Department of Economic and Community Affairs Legislative Oversight Commission to consist of the Chairman and Deputy Chairman of the Senate Committee on Finance and Taxation, three members of the Senate to be appointed by the Lieutenant Governor, the Chairman and Vice Chairman of the House Ways and Means Committee, and three members of the

House of Representatives to be appointed by the Speaker of the House.

(b) The Commission shall hold an organizational meeting within thirty (30) days after this bill is enacted, and shall elect a chairman and vice chairman from among its members. Thereafter, the Commission shall meet at least two times annually, and additional meetings shall be held at the call of the Chairman or upon the request of six or more members. Such meetings shall be held with the Director of the Department of Economic and Community Affairs in attendance.

(c) The Commission shall adopt its own rules of procedure for the transaction of business, and a majority of the members present shall constitute a quorum for the purpose of transacting business or performing authorized duties.

(d) Each member of the Commission shall be entitled to his or her regular legislative compensation and per diem and travel expenses for each day he or she attends a meeting or conducts business of the Commission, and such compensation and expenses shall be paid from the funds appropriated for the use of the Legislature.

(e) The Commission shall monitor and evaluate the management and operations of the Department of Economic and Community Affairs, shall recommend to the Legislature the enactment of such laws respecting the Department of Economic and Community Affairs as the Commission shall deem desirable, and shall submit a written report on the operations, finances and grants made by the Department of Economic and Community Affairs during each Regular Session of the Alabama Legislature."

Which was adopted.

Yeas 27; Nays 2.

Yeas:

Senators:	Bedsole	Figures	Mitchell	
Aldridge	Bishop	Foshee	Mitchem	
Amari	Boyington	Goodwin	Parsons	
Bachus	Cabaniss	Holmes	Proctor	
Bailey	Cooley	Keener	Robertson	
Barron	Covington	Kirkland	Smith (B)	
Bedford	deGraffenried	Little	Teague	—27

Nays: Senators: Corbett, Denton —2

And said Bill, H.B. 36, as amended, was read a third time at length and passed.

Yeas 29; Nays 2.

Yeas:

Senators:	Bishop	Foshee	Mitchem	
Aldridge	Boyington	Goodwin	Parsons	
Amari	Cabaniss	Harrison	Proctor	
Bachus	Cooley	Holmes	Robertson	
Bailey	Corbett	Kirkland	Smith (B)	
Barron	Covington	Little	Smith (J)	
Bedford	deGraffenried	Mitchell	Teague	
Bedsole	Figures			—29

Nays: Senators: Denton, Keener —2

RESOLUTIONS

Senator Goodwin offered the following Senate Joint Resolution, to-wit:

S. J. R. 58. TO ESTABLISH THE JOINT INTERIM COMMITTEE ON STUDY OF THE CAHABA RIVER.

WHEREAS, there is a great need to study the Cahaba River for preservation and tourism; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there shall be an interim committee to study the Cahaba River for the purpose of investigating its potential for use as a recreational, educational and tourist attraction and such committee is hereby established. The committee shall be composed of the members of the Senate Standing Committee on Agriculture, Conservation and Forestry and the House Standing Committee on Natural Resources. The members shall elect a chairman and co-chairman from among its members and meetings shall be at the call of the chair or upon the request of six members in writing. The committee shall form its own rules for the conduct of its meetings. The legislative members of the committee shall receive their regular legislative compensation to be paid from funds appropriated to the legislature. The total compensation paid to the members of this committee shall not exceed \$4,000. The final report of the committee, along with findings and recommendations shall be submitted to the legislature no later than the fifth legislative day of the 1983 Regular Session. Upon the submission of the final report, the committee shall stand dissolved.

Which was read and referred to the Standing Committee on Rules.

Senator Bachus offered the following Senate Resolution, to-wit:

S. R. 59. COMMENDING BETTY JEAN CLINE PRYOR.

Which was adopted.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 6. To amend Section 13A-7-42 of the Code of Alabama 1975, defining the criminal offense of second degree arson, so as to provide further for such offense.

Also:

H. 14. To provide further for visitation rights of grandparents of minor children in certain cases of divorce or death and repeals Section 30-3-3, Code of Alabama 1975.

Also:

H. 31. Relating to Wilcox County; to set the compensation for certain clerks in the probate judge's office; to provide for pay periods, source of funding and for retroactive effect.

Also:

H. 33. To provide additional revenue from which to pay interest on funds advanced the Alabama Unemployment Compensation Trust Fund for the payment of benefits; to establish a special fund in the state treasury to

receive such revenue; to provide for the accumulation of interest on monies deposited into the special fund; to authorize expenditures from the special fund; and to provide for its dissolution.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 8

The Senate proceeded to further consideration of the Bill, H.B. 8.

Senator Bedsole offered the following amendment to the Bill, H.B. 8, to-wit:

AMENDMENT TO H. B. 8

Amend H.8 by inserting the following language in Section 1, Page 2, beginning on line 13, after the word due:

In no instance shall an employing board be obligated to withhold from an employee's paycheck an amount greater than the employee's net pay. Collection of any outstanding obligations at the time of separation shall be the responsibility of the organization or agency to which the pledge was made by the employee.

On motion of Senator Parsons, said amendment was laid on the table.

Yeas 19; Nays 10.

Yeas:

Senators:	deGraffenried	Keener	Pearson
Bailey	Denton	Kirkland	Proctor
Barron	Harrison	Mitchell	Robertson
Cooley	Hilliard	Mitchem	Smith (J)
Corbett	Holmes	Parsons	Teague

—19

Nays:

Senators:	Bedsole	Dixon	Menton
Aldridge	Boyington	Goodwin	Smith (B)
Bachus	Cabaniss	Little	

—10

Senator Bachus offered the following amendment to the Bill, H.B. 8, to-wit:

AMENDMENT TO H. B. 8

Amend H.8 by inserting the following language at the end of Section 1:

The employing board of education or governing board of other institutions shall be obligated to provide not more than two voluntary contribution per employee. In order for any voluntary contribution to be eligible for mandatory deduction by the employing board, at least fifty (50) percent of the board's employees shall have signed authorization cards requesting the

particular deduction and authorizing said deductions from their paychecks.

On motion of Senator Parsons, said amendment was laid on the table.

Yeas 19; Nays 9.

Yeas:

Senators:	Bishop	Denton	Mitchell	
Amari	Cooley	Foshee	Parsons	
Bailey	Corbett	Harrison	Proctor	
Barron	Covington	Holmes	Robertson	
Bedford	deGraffenried	Kirkland	Teague	—19

Nays:

Senators:	Boyington	Goodwin	Menton	
Bachus	Cabaniss	Little	Mitchem	
Bedsole	Dixon			—9

Senator Bachus then offered the following amendment to the Bill, H.B. 8, to-wit:

AMENDMENT TO H. B. 8

Amend H.8 by inserting the following language at the end of Section 1:

Employing boards are hereby authorized to establish and promulgate reasonable fee schedules for providing collection services, not to exceed three (03) percent of the amount collected. Such collections charge may be withheld from amounts otherwise due any agency, organization or firm benefitting from this act.

On motion of Senator Parsons, said amendment was laid on the table.

Yeas 22; Nays 8.

Yeas:

Senators:	Corbett	Keener	Proctor	
Amari	Covington	Kirkland	Robertson	
Barron	deGraffenried	Little	Smith (B)	
Bedford	Foshee	Mitchell	Smith (J)	
Bishop	Harrison	Mitchem	Teague	
Cooley	Holmes	Parsons		—22

Nays:

Senators:	Bedsole	Cabaniss	Goodwin	
Aldridge	Boyington	Dixon	Menton	
Bachus				—8

Senator Little offered the following amendment to the Bill, H.B. 8, to-wit:

AMENDMENT TO H. B. 8

Amend House Bill No. 8, Page 2, by inserting a new Section 2 and re-numbering present Section 2 and all remaining sections.

New Section 2 to read as follows:

Section 2. The term "voluntary contributions" shall be defined as contributions for purposes other than political contributions.

On motion of Senator Parsons, said amendment was laid on the table.

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Yeas 19; Nays 11.

Yeas:

Senators:	Bishop	Harrison	Mitchell	
Amari	Cooley	Hilliard	Mitchem	
Bailey	Corbett	Holmes	Parsons	
Barron	deGraffenried	Keener	Smith (J)	
Bedford	Foshee	Kirkland	Teague	—19

Nays:

Senators:	Bedsole	Dixon	Menton	
Aldridge	Boyington	Goodwin	Proctor	
Bachus	Cabaniss	Little	Smith (B)	—11

Senator Cabaniss offered the following amendment to the Bill, H.B. 8, to-wit:

AMENDMENT TO H. B. 8

Amend H. 8 by inserting new language at the end of Section 1 as follows:

Section 1. The employee organization agrees that if at any time the employee organization authorizes, causes or engages in or sanctions any strike or work stoppage of any kind or pickets, the privilege of deduction for membership dues and voluntary contributions herein granted is revoked, and the provisions of this act shall not apply.

Also, add to line 19, page 1, after the words "Act 82-776," the following:
"and provides for the revocation thereof."

On motion of Senator Parsons, said amendment was laid on the table.

Yeas 17; Nays 6.

Yeas:

Senators:	Cooley	Hilliard	Mitchell	
Amari	Corbett	Holmes	Parsons	
Bailey	deGraffenried	Keener	Smith (J)	
Barron	Foshee	Kirkland	Teague	
Bedford	Harrison			—17

Nays:

Senators:	Boyington	Dixon	Smith (B)	
Bedsole	Cabaniss	Menton		—6

And said Bill, H.B. 8, was read a third time at length and passed.

Yeas 22; Nays 10.

Yeas:

Senators:	Corbett	Holmes	Parsons	
Amari	Covington	Keener	Proctor	
Bailey	deGraffenried	Kirkland	Robertson	
Barron	Denton	Little	Smith (J)	
Bedford	Harrison	Mitchell	Teague	
Cooley	Hilliard	Mitchem		—22

Nays:

Senators:	Bedsole	Cabaniss	Menton
Aldridge	Bishop	Dixon	Smith(B)
Bachus	Boyington	Goodwin	

—10

Senator Parsons moved that the Senate reconsider the vote by which the Bill, H.B. 8, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Senator Proctor, further consideration of all Senate Bills remaining on the Calendar was indefinitely postponed.

RESOLUTION

Senator Amari offered the following Senate Joint Resolution, to-wit:

S. J. R. 60. EXPRESSING THE CONCERN OF THE ALABAMA LEGISLATURE FOR OUR NATION'S ELDERLY CITIZENS.

WHEREAS, in these current days of economic hardship, most particularly for the elderly citizens of Alabama and the nation, it is the incumbency of elected officials to seek solutions to aid those most in need and to propose adequate prevention methods whereby future hardships for the aged and infirm can be forestalled; and

WHEREAS, Social Security legislation which calls for future decreases in benefits and for punitive eligibility requirements can only serve to increase the financial eligibility requirements can only serve to increase the financial woes of future recipients and the anxieties of those approaching retirement age; and

WHEREAS, in concurring sentiment with organizations pledged to benefit Alabama's aged, and senior citizens nationwide, the Alabama Legislature is gravely concerned for our future generations of elderly Americans; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we herein express consternation and compassionate concern for the plight of today's aged and aging citizens, and respectfully request that the United States Congress remain cognizant of the pressing needs of our nation's elderly citizens.

BE IT FURTHER RESOLVED, That the Secretary of the Senate is directed to advise members of the Alabama Congressional Delegation, by copies of this resolution, of the sentiment of the Alabama Legislature regarding the aging citizens of our State and Nation.

On motion of Senator Amari, the Rules were suspended and the Resolution was adopted by the Senate.

REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 34. PETITIONING THE COMMISSIONER OF THE ALABAMA DEPARTMENT OF CORRECTIONS AND THE COMMISSIONER OF THE ALABAMA DEPARTMENT OF REVENUE TO OFFICIALLY DESIGNATE A PORTION OF THE SALARY OF CHAPLAINS

IN THE PENAL INSTITUTIONS OF ALABAMA AS A RENTAL ALLOWANCE.

On motion of Senator Little, the Resolution was then concurred in and adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 58. TO ESTABLISH THE JOINT INTERIM COMMITTEE ON STUDY OF THE CAHABA RIVER.

On motion of Senator Goodwin, the Resolution was then adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 39. URGING PRESIDENT REAGAN'S CAREFUL CONSIDERATION OF GOVERNOR WALLACE'S REQUEST EXPRESSING OPPOSITION TO THE RECENTLY IMPOSED USER FEES AND TAX INCREASES ON THE TRUCKING INDUSTRY.

Also:

H. J. R. 12. REQUESTING THE SERVICE DIVISION OF THE STATE FINANCE DEPARTMENT TO PROVIDE THAT STATE TELEPHONE OPERATORS MAINTAIN A NORMAL WEEKDAY SCHEDULE OF ALL DAYS THAT THE LEGISLATURE IS IN SESSION.

On motion of Senator Proctor, the Resolutions were then concurred in and adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 38. REQUESTING THAT THE TENNESSEE VALLEY AUTHORITY PROPERLY RECLASSIFY THE ELECTRICITY RATES OF THE AGRICULTURAL COMMUNITY.

On motion of Senator Aldridge, the Resolution was then concurred in and adopted by the Senate.

RESOLUTION

Senator Menton offered the following Senate Resolution, to-wit:

S. R. 61. COMMENDING THE 1982 FOOTBALL TEAM OF ALBA HIGH SCHOOL, BAYOU LA BATRE, ALABAMA.

Which was adopted.

BILLS ON THIRD READING RESUMED

The Bill:

H. 11: To amend Sections 25-4-10, 25-4-16, 25-4-32, 25-4-51, 25-4-52, 25-4-54, 25-4-70, 25-4-72, 25-4-73, 25-4-74, 25-4-77, 25-4-78, 25-4-91, 25-4-

130, 25-4-132, 25-4-133 and 25-4-145, Code of Alabama 1975, as last amended, (The Alabama Unemployment Compensation Act), so as to extend the exemption from the definition of "employment" services performed by certain aliens until January 1, 1984; to remove age restrictions for exemption from coverage of a full time student participating in a work study program, to exclude from coverage certain qualified real estate agents and direct sellers; to increase the taxable wage base to \$8,000 and to provide for its retroactive effect to January 1, 1983; to clarify exemption/non-exemption of wages into or from a tax deferred trust; to extend to 35 years the period during which certain moneys credited to the fund may be used for administrative purposes; to clarify certain provision and procedures dealing with governmental entities; to amend the amount of surety bond required from non-profit organizations; to provide for an experience rating charge upon payment of benefits equaling the claimant's weekly benefit amount; to increase employee tax to 1.0% and to provide for its retroactive effect to January 1, 1983; to increase the maximum tax rate for employers to 5.0% January 1, 1984 and to 5.4% January 1, 1985; to provide for an emergency surcharge on employers of 25% of the employer's computed tax rate (limited to an increase of 0.7 percent) and to provide for its retroactive effect to January 1, 1983 and to set criteria for the termination of such surcharge; to require denial of benefits between academic terms or years for non-professional employees of institutions of higher education under certain conditions and for retroactive payment of benefits to non-professional employees of any institution of education operated by a governmental or non-profit organization under certain conditions; to provide for an increase in weekly benefit amount to \$120 effective with weeks of unemployment commencing in benefit years beginning on or after the first Sunday of the first calendar quarter which begins at least 90 days after the effective date of this act; to increase the minimum weekly benefit amount to \$22 effective the same date; to provide that the separation from a job subsequent to a voluntary quit, discharge for dishonest or criminal act or a discharge for misconduct after warning must be for a non-disqualifying reason (with wages equal to 10 times weekly benefit amount subsequent to a separation for criminal misconduct), increases the disqualification for industrial misconduct to 4-8 weeks, all effective with benefit years beginning 30 or more days after the effective date of this act; to authorize the director to collect overpayments, waive overpayments and to establish limitations of time on such actions; and to provide other minor non-controversial technical revisions.

was taken up.

Senator Cabaniss offered the following amendment to the Bill, H.B. 11, to-wit:

AMENDMENT TO H. B. 11

Amend the Albright Amendment #2 to H.B. 11 as follows:

Add the words "page 62" after the words "further amend H.B. 11 by deleting lines 26 through 33" on line 9 of the amendment.

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Senators:	Bachus	Bedsole	Cabaniss
Aldridge	Bailey	Bishop	Cooley
Amari	Bedford	Boyington	Corbett

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Covington	Harrison	Kirkland	Robertson	
deGraffenried	Hilliard	Menton	Smith (B)	
Figures	Holmes	Mitchell	Teague	
Goodwin	Keener	Proctor		—26
Nays:				—0

Senator Cabaniss then offered the following amendment to the Bill, H.B. 11, as amended, to-wit:

AMENDMENT TO H. B. 11, AS AMENDED

Amend the Albright Amendment to H. B. 11 as follows:

Amend the Albright Amendment to Section 6, by striking in subparagraph 2 of subsection (4)b the words "seventy five percent (75 percent) of the balance required to equal the minimum normal amount" and inserting in lieu thereof "\$150,000,000".

On motion of Senator Keener, said amendment was laid on the table.

Yeas 22; Nays 7.

Yeas:

Senators:	Boyington	Figures	Menton	
Aldridge	Cooley	Harrison	Mitchell	
Amari	Corbett	Hilliard	Mitchem	
Barron	Covington	Holmes	Proctor	
Bedford	deGraffenried	Keener	Smith (J)	
Bishop	Denton	Little		—22

Nays:

Senators:	Bailey	Cabaniss	Parsons	
Bachus	Bedsole	Goodwin	Smith (B)	—7

Senator Cabaniss then offered the following amendment to the Bill, H.B. 11, as amended, to-wit:

AMENDMENT TO H. B. 11, AS AMENDED

Amend the Albright Amendment #1 to H.B. 11 as follows:

In Section 6, page 62, line 7 of subparagraph 1 of subsection (4) b:
strike the word "higher" and insert in lieu thereof the word "nearest"
Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Boyington	Goodwin	Mitchem	
Amari	Cabaniss	Harrison	Parsons	
Bachus	Cooley	Holmes	Proctor	
Bailey	Corbett	Keener	Robertson	
Barron	Covington	Little	Smith (B)	
Bedford	deGraffenried	Menton	Smith (J)	
Bedsole	Foshee			—25

Nays: —0

Senator Cabaniss then offered the following amendment to the Bill, H.B. 11, as amended, to-wit:

AMENDMENT TO H. B. 11, AS AMENDED

Amend H.B. 11 as follows:

In Section 9, page 69, strike all of Section 9 and renumber the remaining sections accordingly.

Which was lost.

Yeas 5; Nays 19.

Yeas:

Senators:	Bedford	Cabaniss	Goodwin	
Bailey	Bedsole			—5

Nays:

Senators:	Boyington	Foshee	Proctor	
Aldridge	Cooley	Harrison	Robertson	
Amari	Corbett	Keener	Smith (B)	
Bachus	Covington	Mitchell	Smith (J)	
Barron	deGraffenried	Parsons	Teague	—19

And said Bill, H.B. 11, as amended, was read a third time at length and passed.

Yeas 30; Nays 2.

Yeas:

Senators:	Cabaniss	Harrison	Mitchem	
Aldridge	Corbett	Hilliard	Parsons	
Amari	Covington	Holmes	Proctor	
Barron	deGraffenried	Keener	Robertson	
Bedford	Denton	Kirkland	Smith (B)	
Bedsole	Figures	Little	Smith (J)	
Bishop	Foshee	Menton	Teague	
Boyington	Goodwin	Mitchell		—30

Nays: Senators: Bachus, Bailey —2

The Bill.

H. 17. To provide for the supplemental appropriation and allocation to the Board of Heating and Air Conditioning Contractors for the 1982-1983 state fiscal year ending September 30, 1983, of an amount up to \$65,000.00 from the Board of Certification of Heating and Air Conditioning Contractors Fund in the state treasury for the purpose of salaries and other expenses; to provide for retroactive effect; and to provide that monies remaining in said fund on September 30, 1983, shall revert to the State General Fund.

was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Senators:	Corbett	Hilliard	Mitchem	
Bailey	Denton	Holmes	Parsons	
Barron	Figures	Kirkland	Proctor	
Bedford	Foshee	Little	Smith (B)	
Bedsole	Goodwin	Menton	Smith (J)	
Bishop	Harrison	Mitchell	Teague	
Boyington				—24

Nays: —0

RESOLUTION

Senators Parsons, Amari, Proctor, Bedsole, and Barron offered the following Senate Joint Resolution, to-wit:

S. J. R. 62. DEFINING THE LEGISLATIVE INTENT OF SECTION 25-4-78, CODE OF ALABAMA 1975, WHICH PROVIDES FOR DISQUALIFICATION FOR UNEMPLOYMENT BENEFITS.

WHEREAS, Section 25-4-78, Subsection 4, Code of Alabama 1975, provides for disqualification for unemployment benefits for persons whose business licenses have been revoked or suspended; and

WHEREAS, the Department of Industrial Relations is interpreting this section in such a manner as may be questioned by the Legislature; and

WHEREAS, legislative intent is that when a person fails a licensing examination which is required to obtain work in that profession it is viewed that it is within the power of the potential licensee to pass that licensure examination; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we call upon the Department of Industrial Relations of the State of Alabama to interpret Section 25-4-78, Subsection 4 to mean that it is within the scope of the licensee to pass professional examinations before gaining employment and it is the responsibility of said person to do such.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the Director of the Department of Industrial Relations that he may know of our wishes.

Which was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

H. 24. To amend Sections 36-22-42 and 36-22-43, Code of Alabama 1975, which provides for deductions from sheriffs' salaries and retirement payments for retired sheriffs, so as to increase said deductions and payments.

was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Senators:	Bishop	Harrison	Parsons
Amari	Boyington	Holmes	Proctor
Bailey	Corbett	Little	Robertson
Barron	Denton	Menton	Smith (B)
Bedford	Foshee	Mitchell	Smith (J)
Bedsole	Goodwin	Mitchem	Teague

—23

Nays:

—0

On motion of Senator Bishop, the Rules were suspended in order to bring up the Bill:

H. 5. To amend § 16-25-14(i), Code of Alabama 1975 relating to the

Teachers' Retirement System of Alabama and § 16-27-16(e), Code of Alabama 1975, relating to the Employees' Retirement System of Alabama, so as to change from five years to two years the time required for certain members who have been restored to active service, to continue in service before again becoming a member of either System.

And said Bill, H.B. 5, was read a third time at length and passed.

Yeas 23; Nays 0.

Abstaining 1.

Yeas:

Senators:	Bedford	Harrison	Parsons	
Aldridge	Bishop	Holmes	Proctor	
Amari	Cabaniss	Kirkland	Robertson	
Bachus	Cooley	Menton	Smith (B)	
Bailey	Corbett	Mitchell	Smith (J)	
Barron	Goodwin	Mitchem	Teague	—23

Nays: —0

Abstaining: Senator Little —1

The Bill:

H. 32. To amend Section 11-47-16, Code of Alabama 1975, relating to the power of cities and towns to acquire sites for, construct and operate public cultural facilities, so as to include counties and to further qualify the necessity for such acquisition and construction.

was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Senators:	Bishop	Harrison	Mitchem	
Aldridge	Cabaniss	Hilliard	Parsons	
Amari	Corbett	Holmes	Proctor	
Bachus	Covington	Kirkland	Robertson	
Bailey	Denton	Little	Smith (B)	
Barron	Foshee	Menton	Smith (J)	
Bedford	Goodwin	Mitchell	Teague	—27

Nays: —0

RESOLUTIONS

Senator Kirkland offered the following Senate Resolutions, to-wit:

S. R. 63. COMMENDING MR. JAMES COOK, VICE PRESIDENT OF THE AMERICAN DAIRY ASSOCIATION OF ALABAMA.

Also:

S. R. 64. COMMENDING MRS. GWENDOLYN SNELLINGS LIPSCOMB, MONROE COUNTY HOSPITAL NURSE OF THE YEAR.

Also:

S. R. 65. COMMENDING MR. RAYMOND L. BOLDEN OF ATMORE, ALABAMA, ATMORE AREA CHAMBER OF COMMERCE CITIZEN OF THE YEAR.

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Which were adopted.

ADJOURNMENT

At 6:15 P.M., on motion of Senator Teague, the Senate adjourned until Thursday, February 24, 1983, at 12 o'clock Noon.

NINTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 24, 1983

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

PRAYER

The Session was opened with prayer by Mr. Kenneth Cooper, Committee Liaison, Office of the Lieutenant Governor.

ROLL CALL

Present:

Senators:	Cooley	Goodwin	Menton
Amari	Corbett	Harrison	Mitchell
Bachus	Covington	Hilliard	Parsons
Bailey	Denton	Keener	Robertson
Barron	Dixon	Kirkland	Smith (J)
Bedford	Figures	Little	Teague
Bishop	Foshee		

—25

JOURNAL

On motion of Senator Denton, the reading of the Journal of yesterday was dispensed with.

LEAVES OF ABSENCE

On motion of Senator Denton, leave of absence was granted Senators Aldridge, Bedsole, Boyington, Cabaniss, deGraffenried, Holmes, Mitchem, Pearson, Proctor, and Smith (B) for today.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 37. To provide further for the membership of the continuing legislative committee, known as the legislative council of the state of Alabama, so as to include the chairman of the rules committee in both the house and senate, and the chairman of the house local government committee, and the chairman of the senate governmental affairs committee.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 11. To amend Sections 25-4-10, 25-4-16, 25-4-32, 25-4-51, 25-4-52, 25-4-54, 25-4-70, 25-4-72, 25-4-73, 25-4-74, 25-4-77, 25-4-78, 25-4-91, 25-4-130, 25-4-132, 25-4-133 and 25-4-145, Code of Alabama 1975, as last amended, (The Alabama Unemployment Compensation Act), so as to extend the exemption from the definition of "employment" services performed by certain aliens until January 1, 1984; to remove age restrictions

for exemption from coverage of a full time student participating in a work study program, to exclude from coverage certain qualified real estate agents and direct sellers; to increase the taxable wage base to \$8,000 and to provide for its retroactive effect to January 1, 1983; to clarify exemption/non-exemption of wages into or from a tax deferred trust; to extend to 35 years the period during which certain moneys credited to the fund may be used for administrative purposes; to clarify certain provision and procedures dealing with governmental entities; to amend the amount of surety bond required from non-profit organizations; to provide for an experience rating charge upon payment of benefits equaling the claimant's weekly benefit amount; to increase employee tax to 1.0% and to provide for its retroactive effect to January 1, 1983; to increase the maximum tax rate for employers to 5.0% January 1, 1984 and to 5.4% January 1, 1985; to provide for an emergency surcharge on employers of 25% of the employer's computed tax rate (limited to an increase of 0.7 percent) and to provide for its retroactive effect to January 1, 1983 and to set criteria for the termination of such surcharge; to require denial of benefits between academic terms or years for non-professional employees of institutions of higher education under certain conditions and for retroactive payment of benefits to non-professional employees of any institution of education operated by a governmental or non-profit organization under certain conditions; to provide for an increase in weekly benefit amount to \$120 effective with weeks of unemployment commencing in benefit years beginning on or after the first Sunday of the first calendar quarter which begins at least 90 days after the effective date of this act; to increase the minimum weekly benefit amount to \$22 effective the same date; to provide that the separation from a job subsequent to a voluntary quit, discharge for dishonest or criminal act or a discharge for misconduct after warning must be for a non-disqualifying reason (with wages equal to 10 times weekly benefit amount subsequent to a separation for criminal misconduct), increases the disqualification for industrial misconduct to 4-8 weeks, all effective with benefit years beginning 30 or more days after the effective date of this act; to authorize the director to collect overpayments, waive overpayments and to establish limitations of time on such actions; and to provide other minor non-controversial technical revisions.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 25. To amend Section 36-17-8 of the Code of Alabama 1975 as amended by Act 83-78 relating to the procedures for the State Treasurer in paying principal and interest on bonded indebtedness by a fiscal agent and more specifically to alter Section 1(c) dealing with the number of fiscal agents so as to make this subsection conform to other sections of the code.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint

Resolutions and returns same herewith to the Senate:

S. J. R. 37. COMMENDING HOWARD K. LYNAM EASTERN AREA CHAMBER OF COMMERCE CITIZEN OF THE YEAR - 1982.

Also:

S. J. R. 38. COMMENDING JACKSON COUNTY SHERIFF WILLIAM R. (BOB) COLLINS.

Also:

S. J. R. 42. COMMENDING THE HUNTSVILLE ALABAMA CITY COUNCIL ON ITS INITIATIVE APPROACH TO A GOAL OF COMBATING THE DRUNK DRIVER PROBLEM IN THE CITY OF HUNTSVILLE.

Also:

S. J. R. 43. CREATING A JOINT LEGISLATIVE COMMITTEE ON INDUSTRIAL EXPANSION, ECONOMIC GROWTH AND JOBS AND REPEALING ACT NO. 91, S.J.R. 3, FIRST SPECIAL SESSION.

Also:

S. J. R. 44. DESIGNATING THE MUSEUM PROPOSED BY ALABAMA MINING MUSEUM, INCORPORATED, AS THE OFFICIAL STATE COAL MINING MUSEUM OF ALABAMA.

Also:

S. J. R. 45. CREATING A JOINT INTERIM COMMITTEE TO OVERSEE THE IMPLEMENTATION OF ACT NO. 80-381, WHICH CREATED THE ALABAMA HUMAN RESOURCES BOARD.

Also:

S. J. R. 47. CREATING THE CULLMAN COUNTY ELECTED OFFICIALS SALARY COMMISSION.

Also:

S. J. R. 48. COMMENDING DALE COUNTY SHERIFF JAMES BRYANT MIXON FOR MERITORIOUS PROFESSIONAL ACCOMPLISHMENT.

Also:

S. J. R. 49. DEDICATING TROOP K, DRIVER LICENSE OFFICE AT DOTHAN IN MEMORY OF TROOPER MARVETTE HOLMES.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 12. REQUESTING THE SERVICE DIVISION OF THE STATE FINANCE DEPARTMENT TO PROVIDE THAT STATE TELEPHONE OPERATORS MAINTAIN A NORMAL WEEKDAY SCHEDULE OF ALL DAYS THAT THE LEGISLATURE IS IN SESSION.

Also:

H. J. R. 34. PETITIONING THE COMMISSIONER OF THE ALABAMA DEPARTMENT OF CORRECTIONS AND THE COMMISSIONER OF THE ALABAMA DEPARTMENT OF REVENUE TO OFFICIALLY DESIGNATE A PORTION OF THE SALARY OF CHAPLAINS IN THE PENAL INSTITUTIONS OF ALABAMA AS A RENTAL ALLOWANCE.

Also:

H. J. R. 38. REQUESTING THAT THE TENNESSEE VALLEY AUTHORITY PROPERLY RECLASSIFY THE ELECTRICITY RATES OF THE AGRICULTURAL COMMUNITY.

Also:

H. J. R. 39. URGING PRESIDENT REAGAN'S CAREFUL CONSIDERATION OF GOVERNOR WALLACE'S REQUEST EXPRESSING OPPOSITION TO THE RECENTLY IMPOSED USER FEES AND TAX INCREASES ON THE TRUCKING INDUSTRY.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 5. To amend §16-25-14(i), Code of Alabama 1975 relating to the Teachers' Retirement System of Alabama and §16-27-16(e), Code of Alabama 1975, relating to the Employees' Retirement System of Alabama, so as to change from five years to two years the time required for certain members who have been restored to active service, to continue in service before again becoming a member of either System.

Also:

H. 8. To amend Section 16-22-6, Code of Alabama, 1975, so as to provide further for payroll deductions for educational employees and for Public Employees' Individual Retirement Account Fund (PEIRAF) created by Act 82-776.

Also:

H. 17. To provide for the supplemental appropriation and allocation to the Board of Heating and Air Conditioning Contractors for the 1982-1983 state fiscal year ending September 30, 1983, of an amount up to \$65,000.00, from the Board of Certification of Heating and Air Conditioning Contractors Fund in the state treasury for the purpose of salaries and other expenses; to provide for retroactive effect; and to provide that monies remain-

ing in said fund on September 30, 1983, shall revert to the State General Fund.

Also:

H. 24. To amend Sections 36-22-42 and 36-22-43, Code of Alabama 1975, which provides for deductions from sheriffs' salaries and retirement payments for retired sheriffs, so as to increase said deductions and payments.

Also:

H. 32. To amend Section 11-47-16, Code of Alabama 1975, relating to the power of cities and towns to acquire sites for, construct and operate public cultural facilities, so as to include counties and to further qualify the necessity for such acquisition and construction.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 11. To amend Sections 25-4-10, 25-4-16, 25-4-32, 25-4-51, 25-4-52, 25-4-54, 25-4-70, 25-4-72, 25-4-73, 25-4-74, 25-4-77, 25-4-78, 25-4-91, 25-4-130, 25-4-132, 25-4-133 and 25-4-145, Code of Alabama 1975, as last amended, (The Alabama Unemployment Compensation Act), so as to extend the exemption from the definition of "employment" services performed by certain aliens until January 1, 1984; to remove age restrictions for exemption from coverage of a full time student participating in a work study program, to exclude from coverage certain qualified real estate agents and direct sellers; to increase the taxable wage base to \$8,000 and to provide for its retroactive effect to January 1, 1983; to clarify exemption/non-exemption of wages into or from a tax deferred trust; to extend to 35 years the period during which certain moneys credited to the fund may be used for administrative purposes; to clarify certain provision and procedures dealing with governmental entities; to amend the amount of surety bond required from non-profit organizations; to provide for an experience rating charge upon payment of benefits equaling the claimant's weekly benefit amount; to increase employee tax to 1.0% and to provide for its retroactive effect to January 1, 1983; to increase the maximum tax rate for employers to 5.0% January 1, 1984 and to 5.4% January 1, 1985; to provide for an emergency surcharge on employers of 25% of the employer's computed tax rate (limited to an increase of 0.7 percent) and to provide for its retroactive effect to January 1, 1983 and to set criteria for the termination of such surcharge; to require denial of benefits between academic terms or years for non-professional employees of institutions of higher education under certain conditions and for retroactive payment of benefits to non-professional employees

of any institution of education operated by a governmental or non-profit organization under certain conditions; to provide for an increase in weekly benefit amount to \$120 effective with weeks of unemployment commencing in benefit years beginning on or after the first Sunday of the first calendar quarter which begins at least 90 days after the effective date of this act; to increase the minimum weekly benefit amount to \$22 effective the same date; to provide that the separation from a job subsequent to a voluntary quit, discharge for dishonest or criminal act or a discharge for misconduct after warning must be for a non-disqualifying reason (with wages equal to 10 times weekly benefit amount subsequent to a separation for criminal misconduct), increases the disqualification for industrial misconduct to 4-8 weeks, all effective with benefit years beginning 30 or more days after the effective date of this act; to authorize the director to collect overpayments, waive overpayments and to establish limitations of time on such actions; and to provide other minor non-controversial technical revisions.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 37. To provide further for the membership of the continuing legislative committee, known as the legislative council of the state of Alabama, so as to include the chairman of the rules committee in both the house and senate, and the chairman of the house local government committee, and the chairman of the senate governmental affairs committee.

Also:

H. 25. To amend Section 36-17-8 of the Code of Alabama 1975 as amended by Act 83-78 relating to the procedures for the State Treasurer in paying principal and interest on bonded indebtedness by a fiscal agent and more specifically to alter Section 1(c) dealing with the number of fiscal agents so as to make this subsection conform to other sections of the code.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

RESOLUTIONS

Senators Goodwin, Kirkland, Denton, Bailey, Dixon, Robertson, Barron, Little, Mitchell, Menton, Keener, Harrison, Cooley, and Bachus offered the following Senate Joint Resolution, to-wit:

S. J. R. 66. COMMENDING AND HONORING WILLIAM M. "BILL" RUSHTON.

WHEREAS, William M. "Bill" Rushton is known to this Legislature to have given of himself, in the service of the State of Alabama, first as Assistant Director of the Alabama Development Office and now as the Director of the Office of State Planning and Federal Programs, and

WHEREAS, Bill Rushton, through personal sacrifice and persistent effort, not only overcame and conquered the disease of alcoholism, which tortures the human mind, body and spirit, but also unselfishly and freely gave his time and effort to the establishment of the first Alabama Prison System Alcoholics Anonymous Chapter and continued to work in the program for many years thereafter, and

WHEREAS, Bill Rushton volunteered his time and efforts to speak publicly at the state conventions for Alcoholics Anonymous in many states including Georgia, Mississippi, Tennessee, Florida, and Texas and also spoke publicly at other places and functions and worked diligently to help others afflicted with this dread disease, to overcome their illness, and

WHEREAS, through personal effort and self-sacrifice, Bill Rushton has had an extremely positive effect on the lives of many, and has become an individual of high success and achievement to whom others can look up to in admiration and respect, and whose life and accomplishments can, and have given, hope to others who are or have been in need of hope in their darkest hours, and

WHEREAS, Bill Rushton, has a lovely and admiring family, including his wife Billie and daughter Kim, to whom he has been a loving and caring husband and father, and both of whom are dearer to him than wealth or fame could ever be, and

WHEREAS, the Legislature holds this man in the highest esteem for his past efforts and accomplishments, for his present service to the State of Alabama and his fellowman, and for what we have every confidence to believe will be a future of continued successes and accomplishments, Now Therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both Houses thereof concurring, that we most highly commend and honor William M. "Bill" Rushton for his outstanding accomplishments, for his unselfish and valuable service given to his fellowman, and for his contributions to the government of the State of Alabama.

BE IT FURTHER RESOLVED, that copies of this resolution be provided for Mr. Rushton, his wife, his daughter, and for Governor George C. Wallace, to insure that he is informed of the Legislature's feelings in these regards.

On motion of Senator Goodwin, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Little offered the following Senate Resolution, to-wit:

S. R. 67. COMMENDING McCLENDON TRUCKING COMPANY

OF LAFAYETTE, ALABAMA, ON THEIR 50TH ANNIVERSARY.

Which was adopted.

Senator Bishop offered the following Senate Joint Resolution, to-wit:

S. J. R. 68. MOURNING THE DEATH OF MR. JOE ZIFF OF JASPER, ALABAMA.

WHEREAS, it is with deep sorrow and regret that the Alabama Legislature notes the death of Mr. Joe Ziff of Jasper, Alabama, on February 16, 1983, at the age of 75 years; and

WHEREAS, a prominent businessman in Jasper, where he had resided for the past 40 years, Mr. Ziff also was involved in numerous of the civic, charitable and religious affairs of the area, and throughout the entire state of Alabama as well; and

WHEREAS, not only was Mr. Ziff the founder of the Jasper Chamber of Commerce but, through the years, had held every available office in the organization, and had further served as a past President of Temple Emmanuel in Jasper; and

WHEREAS, Mr. Ziff's activities extended to include both the local and state presidency of B'nai B'rith, and he was a loyal and avid supporter of Walker State Technical College and the Blue Tie Club; and

WHEREAS, the death of Mr. Joe Ziff has indeed left a deep void in the community he loved and served so well; he was a true first citizen of Jasper, Alabama, and one whose advocacy of community betterment is a cause to be embraced by those who would emulate the driving force of such a model citizen; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Mr. Joe Ziff of Jasper, Alabama, and extend our very deepest sympathy to his wife, Mrs. Beatrice Ziff, to their son, Mr. Jay Ziff, and other family members to whom a copy of this resolution shall be sent in expression of our shared sorrow and concern for them during this time of such great sorrow.

On motion of Senator Bishop, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 36. To create and establish the Department of Economic and Community Affairs; to provide that: The Office of State Planning and Federal Programs, as created and provided for by Sections 41-9-205 through 41-9-214, Code of Alabama 1975; the Alabama Department of Energy, as created and provided for by Sections 41-6A-1 through 41-6A-11, Code of Alabama 1975; the Alabama Law Enforcement Planning Agency as created and provided for by Sections 41-8A-1 through 41-8A-13, Code of Alabama 1975; the State Manpower Planning Council and CETA Manpower services, as created and provided for by federal laws and Executive Order No. 16, 1971; and the Office of Employment and Training, as created and provided for by federal laws and Executive Order No. 34, 1980, are merged into and shall be transferred to said Department of Economic and Community Affairs; to

provide that all functions, duties, responsibilities, authority, assets, liabilities, contractual rights and obligations, property rights, appropriations, employees, property and supplies are vested in and transferred to the new agency; to continue the employment and rights and benefits of certain classified employees, whose job classifications are not abolished hereby, to provide for the appointment, term, compensation, duties and authority of the director of the Department of Economic and Community Affairs; to specifically continue the provisions of law relating to any councils and boards and advisory boards of: Title 41, Chapter 6A, Code of Alabama 1975, relating to the Alabama Energy Management Act of 1980; Title 41, Chapter 9, Article 8A, Code of Alabama 1975, relating to the Office of State Planning and Federal Programs; the State Manpower Planning Council (CETA); and the Office of Employment and Training; to provide that each of the merged agencies within the said new agency shall be divided into divisions; to provide for divisions and division chiefs and their appointment; and to provide for the change of the name of the State Manpower Planning Council (CETA) to the Office of Employment and Training and to transfer the functions of such council.

and requests a Committee on Conference.

And the Speaker of the House has appointed as the Conferees on the part of the House Reps. Casey, Martin and Goodwin.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Goodwin, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H.B. 36, the title of which is set out in the foregoing Message from the House.

Yeas 18; Nays 0.

Yeas:

Senators:	Bedford	Harrison	Mitchell	
Amari	Bishop	Keener	Robertson	
Bachus	Cooley	Kirkland	Smith (J)	
Bailey	Dixon	Little	Teague	
Barron	Goodwin	Menton		—18

Nays: —0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate Senators Foshee, Goodwin, and Kirkland.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Payne:

H. J. R. 90. COMMENDING BIRMINGHAM POLICE OFFICER DAN BIANCHI, RECIPIENT OF THE DEPARTMENT'S MEDAL OF VALOR.

Also:

By Rep. Payne:

H. J. R. 91. COMMENDING THE HEWITT-TRUSSVILLE JUNIOR HIGH SCHOOL WRESTLING TEAM.

Also:

By Rep. White, F.:

H. J. R. 92. COMMENDING THE FLOMATON HIGH SCHOOL WOMEN'S BASKETBALL TEAM.

Also:

By Rep. Williams:

H. J. R. 94. RECOGNIZING THE EVENDER G. SPRADLIN, II, FAMILY WHICH HAS BEEN HONORED AS FORT RUCKER, ALABAMA'S GREAT AMERICAN FAMILY.

Also:

By Reps. Drake and Bowling:

H. J. R. 99. MOURNING THE TRAGIC AND UNTIMELY DEATH OF MR. GRADY NUTT OF LOUISVILLE, KENTUCKY.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Bachus, the Rules were suspended and the Resolutions, H.J.R.'s 90 and 91, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

On motion of Senator Kirkland, the Rules were suspended and the Resolution, H.J.R. 92, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

On motion of Senator Bailey, the Rules were suspended and the Resolution, H.J.R. 94, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

On motion of Senator Cooley, the Rules were suspended and the Resolution, H.J.R. 99, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Casey, Laird, Ashley, Adams, Albright, Bennett, Blake, Blakeney, Bowling, Box, Brakefield, Brooks, Browder, Bryant, Buskey, Butler, Carothers, Carter, Clark, Coburn, Coleman, Cosby, Crow, Davis, Drake, Dutton, Escott, Faulk, Flowers, Freeman, Goodwin, Grimsley, Grouby, Hall, Holmes, Horn, Johnson (A.L.), Johnson (R.G.), Junkins, Kennedy, Langford, Lauderdale, Layton, Martin, Mathis, Melton, Minus, Moore, Murphy, Nevett, Newman, Nicholson, Owens, Parker, Preuitt, Reed, Rice, Richardson, Rogers, Sasser, Scott, Seibels, Smith,

Starkey, Starr, Stout, Thomas, Thornton, Tucker, Turner, Turnham, Venable, Warren, White (F), White (L), Williams, Wilson and Wright:

H. J. R. 100. COMMENDING AND HONORING WILLIAM M. "BILL" RUSHTON.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Bachus, the Rules were suspended and the Resolution, H.J.R. 100, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTIONS

Senator Denton offered the following Senate Resolution, to-wit:

S. R. 69. COMMENDING THE MUSCLE SHOALS MUSIC ASSOCIATION AND ITS MEMBERSHIP.

Which was adopted.

Senator Barron offered the following Senate Resolution, to-wit:

S. R. 70. MOURNING THE DEATH OF MR. ANDREW C. SMALL OF COLLINSVILLE, ALABAMA.

Which was adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Hettinger, Hall, Butler and Freeman:

H. J. R. 97. CREATING INTERIM COMMISSIONS TO ASSESS THE STATE'S EDUCATIONAL NEEDS IN THE AREA OF HIGH TECHNOLOGY.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created an interim commission to conduct a comprehensive assessment of the human and capital resource needs of all the colleges and universities which offer baccalaureate or graduate programs in the field of engineering. The commission shall be composed of a representative from each of the following institutions of higher learning: The University of Alabama, the University of Alabama in Birmingham, the University of Alabama in Huntsville, the University of South Alabama, Auburn University, and Tuskegee Institute. Each institutional representative shall be appointed by the respective university president, shall be a faculty member of the institution, and shall serve at president's discretion and without compensation. The six-member commission shall issue a written report to the Governor and legislature not later than 180 days following the effective date of this act. Upon the issuance of said report, the commission shall terminate.

BE IT FURTHER RESOLVED, That, additionally, there is hereby created an interim commission to conduct a comprehensive assessment of the human and capital resource needs of the state junior, community and technical colleges with specific emphasis on training of technical support

personnel for high technology programs. This assessment shall be conducted by a six-member commission who shall serve without compensation, shall be appointed by the Chancellor of the state's junior, community, and technical colleges and shall be in the employ of a junior, community, or technical college. The six-member commission shall issue a written report to the Governor and legislature not later than 180 days following the effective date of this act. Upon the issuance of said report, the commission shall terminate.

RESOLVED FURTHER, That, in addition, there is hereby created an interim commission to conduct a comprehensive assessment of the human and capital resource needs of the state's elementary and secondary schools in the fields of science and mathematics. This assessment shall include: (1) specific recommendations regarding the appropriate number of science and math teachers, (2) measures to encourage current math and science teachers to pursue post-baccalaureate studies in the fields of science and mathematics and (3) programs to promote the overall quality of instruction in the fields of science and mathematics. This assessment shall be conducted by a six-member commission who shall serve without compensation and shall be appointed by the state superintendent of education. The commission shall issue a written report to the Governor and legislature not later than 180 days following the effective date of this act. Upon the issuance of said report, the commission shall terminate.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Barron, the Rules were suspended and the Resolution, H.J.R. 97, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTIONS

Senator Kirkland offered the following Senate Joint Resolution, to-wit:

S. J. R. 71. COMMENDING MR. WILLIAM M. BROWN UPON HIS INDUCTION INTO THE ALABAMA LIVESTOCK HALL OF FAME.

WHEREAS, in pleased commendation, the Alabama Legislature notes the February 8, 1983, induction of Mr. William M. (Bill) Brown of Atmore, Alabama, into the Alabama Livestock Hall of Fame which was established by the Alabama Cattlemen's Association and the Southeastern Livestock Exposition to bestow highest honors upon the most outstanding of Alabama's cattlemen; and

WHEREAS, a prominent Escambia County agri-businessman, Mr. Brown has been a longtime spokesman for Alabama's \$350 million cattle industry on both local and statewide, as well as on national levels; and

WHEREAS, Mr. Brown, though a native of Conecuh County, has been a resident of the Atmore area since 1956; his holdings have grown from a first year 520-acre farm operation to a present 2400-acre feed and cattle business with other extensive cattle interests including trucking and farm equipment companies; and

WHEREAS, Mr. Brown, who also is a member of Gamma Sigma Delta agricultural scholastic honorary, has been involved since 1962 in cattle industry affairs through the Escambia County, Alabama and National Cattlemen's Associations, playing a prominent role in the promotion and support

of this major industry; and

WHEREAS, he has formerly served on the National Cattle Industry Advisory Committee to the United States Secretary of Agriculture, as regional vice president and member of the executive board of the National Cattlemen's Association and as Auburn University Agriculture Advisory Council chairman; he further was Feedlot Magazine's 1975 Cattle Feeder of the Year and, in 1976, Progressive Farmer's Man of the Year in Service to Alabama Agriculture; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend Mr. William M. (Bill) Brown on his many outstanding accomplishments and direct that he receive a copy of this resolution in congratulatory praise of his induction into the Alabama Livestock Hall of Fame.

On motion of Senator Kirkland, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Kirkland, Bedford, Cooley, Denton, Dixon, Covington, Little, Goodwin, and Mitchell offered the following Senate Joint Resolution, to-wit:

S. J. R. 72. UNITED STATES CONGRESS URGED TO REPEAL THE PROVISIONS RELATED TO WITHHOLDING ON SAVINGS IN THE TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982.

WHEREAS, the United States Congress enacted the Tax Equity and Fiscal Responsibility Act of 1982 and said act contains provisions requiring withholding on savings by financial institutions; and

WHEREAS, such withholding provisions will severely penalize the elderly and those living on fixed incomes; and

WHEREAS, sufficient laws exist requiring the reporting of income from savings and the reasonable and efficient implementation of those laws will result in the desired goal of greater income in the United States Treasury; and

WHEREAS, the cost to implement such bureaucratic withholding procedures will result in further erosion of the average working saver's economic stability and the ability and incentive to prepare for the education of children and retirement years; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we urgently call upon the United States Congress to repeal the bureaucratic and unfair withholding provisions of the Tax Equity and Fiscal Responsibility Act of 1982.

BE IT FURTHER RESOLVED, That President Ronald Reagan and Vice President George Bush join in a bipartisan spirit with the United States Congress to lend every effort to see that said provisions of withholding are repealed.

RESOLVED FURTHER, That the Secretary of the Senate cause a copy of this resolution to be sent to each member of the Alabama Congressional Delegation in Washington, D. C., and to each the President and Vice President of the United States so that they may understand the deep alarm the people of Alabama and the members of the Alabama Legislature feel about the withholding provisions.

On motion of Senator Kirkland, the Rules were suspended and the Res-

olution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 52. REQUESTING THAT THE SECRETARY OF THE ARMY EXERCISE HIS AUTHORITY TO MAINTAIN NAVIGATION ON THE APALACHICOLA RIVER.

Also:

S. J. R. 53. URGING THE MOBILE COUNTY COMMISSION TO ASSUME ITS CONSTITUTIONAL RESPONSIBILITY IN PROVIDING AID TO THE UNIVERSITY OF SOUTH ALABAMA MEDICAL CENTER.

Also:

S. J. R. 58. TO ESTABLISH THE JOINT INTERIM COMMITTEE ON STUDY OF THE CAHABA RIVER.

Also:

S. J. R. 60. EXPRESSING THE CONCERN OF THE ALABAMA LEGISLATURE FOR OUR NATION'S ELDERLY CITIZENS.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Sasser, Holmes, Grimsley, Rogers, Moore, Grouby, Lauderdale, Newman, White (F), Venable, Adams, Ashley, Biddle, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Bryant, Butler, Carter, Clark, Coleman, Davis, Drake, Drinkard, Dutton, Escott, Faulk, Flowers, Freeman, Gaston, Goodwin, Hall, Horn, Howard, Johnson (R.G.), Junkins, Kennedy, Laird, Langford, Layton, Lewis, McKee, Martin, Mathis, Murphy, Nevett, Nicholson, Owens, Parker, Poole, Preuitt, Rains, Seibels, Smith, Thomas, Trammell, Tucker, Turner, Waggoner, Warren, White (L) and Wright:

H. J. R. 105. URGING THE CITIZENS OF THIS STATE AND NATION TO REFRAIN FROM THE PURCHASE OF ALL PRODUCTS, GOODS AND EQUIPMENT MANUFACTURED BY ATARI, INCORPORATED.

WHEREAS, the Alabama Legislature, on behalf of the citizens of Alabama and the people of these United States, expresses utter shock and disbelief over the recent announcement by Atari, Incorporated, that its products, in the future, will be manufactured in Hong Kong and Taiwan; and

WHEREAS, such a decision has already resulted in the loss of employment for some 1700 Americans and will of course spell disaster for additional thousands of American workers; and

WHEREAS, the Atari Company, manufacturers of Pac-Man and other video games, indisputably owes its success to the acceptance and open pocketbooks of the American public, a fact that has been totally ignored by such a Judas decision made by perhaps a mere handful of executive ingrates; and

WHEREAS, further, during a time of such grave economic distress in this country, "Buy American" must become a philosophy of life and we can no longer tolerate American manufacturers who adopt a policy of biting the hand that feeds them; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby urge all citizens of Alabama and the entire United States to immediately refrain from the purchase of all products, goods and equipment manufactured by Atari, Incorporated, and its parent corporation, Warner Communications, Incorporated, unless and until a decision is made to continue their product manufacturing in the United States.

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded immediately to officials of the aforementioned manufacturers that they might reassess their loyalties and priorities.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H.J.R. 105, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

RECESS

At 12:40 P.M., on motion of Senator Keener, the Senate took a recess to return upon the call of the Chair.

At 3:05 P.M., the Senate was called to order by Lieutenant Governor Baxley. A quorum of the Senate was present.

RESOLUTIONS

Senator Denton offered the following Senate Resolution, to-wit:

S. R. 73. COMMENDING THE UNIVERSITY OF NORTH ALABAMA YOUNG DEMOCRATS.

Which was adopted.

Senator Corbett offered the following Senate Resolution, to-wit:

S. R. 74. COMMENDING MR. DANNY SPEAR OF VALLEY, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Which was adopted.

Senator Amari offered the following Senate Resolution, to-wit:

S. R. 75. WELCOMING THE ALABAMA GERONTOLOGICAL SOCIETY CONFERENCE.

Which was adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 68. MOURNING THE DEATH OF MR. JOE ZIFF OF JASPER, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 36. To create and establish the Department of Economic and Community Affairs; to provide that: The Office of State Planning and Federal Programs, as created and provided for by Sections 41-9-205 through 41-9-214, Code of Alabama 1975; the Alabama Department of Energy, as created and provided for by Sections 41-6A-1 through 41-6A-11, Code of Alabama 1975; the Alabama Law Enforcement Planning Agency as created and provided for by Sections 41-8A-1 through 41-8A-13, Code of Alabama 1975; the State Manpower Planning Council and CETA Manpower services, as created and provided for by federal laws and Executive Order No. 16, 1971; and the Office of Employment and Training, as created and provided for by federal laws and Executive Order No. 34, 1980, are merged into and shall be transferred to said Department of Economic and Community Affairs; to provide that all functions, duties, responsibilities, authority, assets, liabilities, contractual rights and obligations, property rights, appropriations, employees, property and supplies are vested in and transferred to the new agency; to continue the employment and rights and benefits of certain classified employees, whose job classifications are not abolished hereby, to provide for the appointment, term, compensation, duties and authority of the director of the Department of Economic and Community Affairs; to specifically continue the provisions of law relating to any councils and boards and advisory boards of: Title 41, Chapter 6A, Code of Alabama 1975, relating to the Alabama Energy Management Act of 1980; Title 41, Chapter 9, Article 8A, Code of Alabama 1975, relating to the Office of State Planning and Federal Programs; the State Manpower Planning Council (CETA); and the Office of Employment and Training; to provide that each of the merged agencies within the said new agency shall be divided into divisions; to provide for divisions and division chiefs and their appointment; and to provide for the change of the name of the State Manpower Planning Council (CETA) to the Office of Employment and Training and to transfer the functions of such council.

said Conference Report being in words and figures as follows:

REPORT OF CONFERENCE COMMITTEE
H. B. 36

We, the Committee on Conference appointed to reconcile the differences between the two Houses concerning House Bill 36, have met, considered the matter, and agreed to the following report.

We recommend that the attached Conference Committee Substitute be adopted.

/s/ John Casey

John Casey

/s/ J. W. "Joe" Goodwin

J. W. "Joe" Goodwin

/s/ Charles B. Martin

Charles B. Martin

CONFEREES OF THE HOUSE

/s/ E. C. "Crum" Foshee

E. C. "Crum" Foshee

/s/ Earl Goodwin

Earl Goodwin

/s/ Reo Kirkland, Jr.

Reo Kirkland, Jr.

CONFEREES OF THE SENATE

CONFERENCE COMMITTEE SUBSTITUTE FOR H. B. 36

A BILL TO BE ENTITLED AN ACT

To create and establish the Department of Economic and Community Affairs; to provide that: The Office of State Planning and Federal Programs, as created and provided for by Sections 41-9-205 through 41-9-214, Code of Alabama 1975; the Alabama Department of Energy, as created and provided for by Sections 41-6A-1 through 41-6A-11, Code of Alabama 1975; the Alabama Law Enforcement Planning Agency as created and provided for by Sections 41-8A-1 through 41-8A-13, Code of Alabama 1975; the State Manpower Planning Council and CETA Manpower services, as created and provided for by federal laws and Executive Order No. 16, 1971; the Office of Highway and Traffic Safety as created and provided for by federal laws and Sections 32-4-1 through 32-4-7, Code of Alabama 1975; the Alabama Criminal Justice Information Center as created and provided for by Sections 41-9-590 through 41-9-648, Code of Alabama 1975; and the Office of Employment and Training, as created and provided for by federal laws and Executive Order No. 34, 1980, are merged into and shall be transferred to said Department of Economic and Community Affairs; to provide that all functions, duties, responsibilities, authority, assets, liabilities, contractual rights and obligations, property rights, appropriations, employees, property and supplies are vested in and transferred to the new agency; to continue the employment and rights and benefits of certain classified employees, whose job classifications are not abolished hereby, to provide for the appointment, term, compensation, duties and authority of the director of the Department of Economic and Community Affairs; to specifically continue the provisions of law relating to any councils and boards and advisory boards of Title 41, Chapter 6A, Code of Alabama 1975, relating to the Alabama Energy Management Act of 1980; Title 41, Chapter 9, Article 8A, Code of Alabama 1975, relating to the Office of State Planning and Federal Programs; the State Manpower Planning Council (CETA); the Office of Highway and Traffic Safety; the Alabama Law Enforcement Planning Agency; the Alabama

Criminal Justice Information Center; and the Office of Employment and Training; to provide that each of the merged agencies within the said new agency shall be divided into divisions; to provide for divisions and division chiefs and their appointment; and to provide for the change of the name of the State Manpower Planning Council (CETA) to the Office of Employment and Training and to transfer the functions of such council.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established the Department of Economic and Community Affairs within the office of the Governor and directly under his supervision and control. The Department of Economic and Community Affairs shall consist of: The Governor, the Office of State Planning and Federal Programs, the Alabama Department of Energy, Alabama Law Enforcement Planning Agency, the Office of Highway and Traffic Safety, the Alabama Criminal Justice Information Center and the Office of Employment and Training as presently created by and provided for in Sections 41-9-205 through 41-9-214, Sections 41-6A-1 through 41-6A-11, Sections 41-8A-1 through 41-8A-4, Sections 41-8A-8 through 41-8A-10, and Sections 41-8A-12 through 41-8A-13, 32-4-1 through 32-4-7, 41-9-590 through 41-9-648, and Executive Order No. 34, 1980, respectively, and in accordance with the applicable federal laws. All respective functions, duties, responsibilities, obligations, property rights, appropriations, employees, property and supplies as provided by said sections, and whether accruing or vesting, are hereby transferred to and vested in the Department of Economic and Community Affairs.

Section 2. Present employees in the classified service of the state merit system within each agency transferred in Section 1 of this Act whose job classifications are not abolished hereinafter, shall continue with the Department of Economic and Community Affairs in such functions deemed necessary to carry out the duties and responsibilities of the Department of Economic and Community Affairs. Other employees necessary to implement the duties and functions of the Department of Economic and Community Affairs may be employed subject to the provisions of the state merit system laws and shall be entitled to the same rights and benefits thereunder. Salaries set for such employees shall not exceed the salary set by law for executive department heads.

Nothing herein shall be construed to prevent or preclude the removal of an employee in a manner provided by this Act, or for cause in a manner provided by law.

Section 3. All appropriations heretofore or hereafter made to: the Office of State Planning and Federal Programs, the Alabama Department of Energy, the Alabama Law Enforcement Planning Agency, the State Manpower Planning Council (CETA), the Office of Highway and Traffic Safety, the Alabama Criminal Justice Information Center, and the Office of Employment and Training are hereby consolidated and transferred to the Department of Economic and Community Affairs.

Section 4. (a) The Governor shall appoint a chief administrative officer to be designated as director of the Department of Economic and Community Affairs. Such officer shall serve at the pleasure of the Governor at a salary to be set in the same manner and with the same limitations as otherwise provided by law for executive department heads. The director of the said department shall be a member of such boards, councils and commissions, as they relate to his authority under the provisions of this Act, and as required and currently authorized under the various federal programs and

as approved by the Governor.

(b) The Governor through the Department of Economic and Community Affairs shall encourage comprehensive and coordinated planning and programming of economic and community affairs.

Section 5. (a) The director of the Department of Economic and Community Affairs, with the approval of the Governor, may establish such division or divisions as may, in his discretion, be reasonably necessary for the administration and enforcement of any law, rule or regulation with which the department is charged or the performance of any of its functions or duties. Each division in the department shall be headed by and be under the direction, supervision and control of an officer who shall be designated as the chief of such division. All chiefs of divisions shall be appointed by the director of said department, with the approval of the Governor. Before entering upon the discharge of their duties, such chiefs of divisions shall take the constitutional oath of office. Each of such officers shall devote his full time to his official duties and shall hold no other lucrative position while serving as such. The offices or positions of director of any of the merged departments or agencies are hereby abolished.

(b) It is one of the purposes of this Act to coordinate, into one department, the functions of the Office of State Planning and Federal Programs, the Alabama Department of Energy, Alabama Law Enforcement Planning Agency, the Office of Highway and Traffic Safety, the Alabama Criminal Justice Information Center and the Office of Employment and Training or any successor thereto. There is hereby established the following divisions: The Office of State Planning and Federal Programs, the Alabama Department of Energy, Alabama Law Enforcement Planning Agency, the Office of Highway and Traffic Safety, the Alabama Criminal Justice Information Center, and the Office of Employment and Training. The functions of each division shall be administered by a division chief who shall be full-time and salaried as now provided by law. Each division chief shall report to and be under the supervision of the director of the Department of Economic and Community Affairs.

Section 6. The director of the Department of Economic and Community Affairs may prescribe such reasonable rules and regulations for the conduct of its business and made in accordance with the Alabama Administrative Procedure Act.

Section 7. Legislative Oversight Commission. (a) There is hereby created the Department of Economic and Community Affairs Legislative Oversight Commission to consist of the Chairman and Deputy Chairman of the Senate Committee on Finance and Taxation, three members of the Senate to be appointed by the Lieutenant Governor, the Chairman and Vice Chairman of the House Ways and Means Committee, and three members of the House of Representatives to be appointed by the Speaker of the House.

(b) The Commission shall hold an organizational meeting within thirty (30) days after this bill is enacted, and shall elect a chairman and vice chairman from among its members. Thereafter, the Commission shall meet at least two times annually, and additional meetings shall be held at the call of the Chairman or upon the request of six or more members. Such meetings shall be held with the Director of the Department of Economic and Community Affairs in attendance.

(c) The Commission shall adopt its own rules of procedure for the transaction of business, and a majority of the members present shall consti-

tute a quorum for the purpose of transacting business or performing authorized duties.

(d) Each member of the Commission shall be entitled to his or her regular legislative compensation and per diem and travel expenses for each day he or she attends a meeting or conducts business of the Commission, and such compensation and expenses shall be paid from the funds appropriated for the use of the Legislature.

(e) The Commission shall monitor and evaluate the management and operations of the Department of Economic and Community Affairs, shall recommend to the Legislature the enactment of such laws respecting the Department of Economic and Community Affairs as the Commission shall deem desirable, and shall submit a written report on the operations, finances and grants made by the Department of Economic and Community Affairs during each Regular Session of the Alabama Legislature.

Section 8. All laws or parts of laws, local, special or general, in conflict with the provisions of this Act are hereby specifically repealed.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND CONFERENCE MESSAGE

Senator Teague moved that the Senate non-concur in the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, H.B. 36, the title of which and said Conference Report are set out in the foregoing Message from the House, and request a new Conference Committee.

Senator Goodwin offered a substitute motion that the Senate concur in said Conference Report.

On motion of Senator Teague, the motion to concur was laid on the table.

The question then recurred on the motion of Senator Teague, which was adopted, and the Senate non-concurred in the Report of the Committee on Conference on the Bill, H.B. 36, and requested a new Conference Committee.

Yeas 19; Nays 1.

Yeas:

Senators:	Bedford	Figures	Mitchell
Amari	Bishop	Foshee	Parsons
Bachus	Cooley	Harrison	Robertson
Bailey	Covington	Little	Smith (J)
Barron	Dixon	Menton	Teague

—19

Nay: Senator Goodwin

—1

And the President and Presiding Officer of the Senate appointed as members on part of the Senate Senators Goodwin, Kirkland, and Foshee.

RESOLUTION

Senator Mitchell offered the following Senate Resolution, to-wit:

S. R. 76. MOURNING THE DEATH OF MRS. LANELLE BERRYMAN LANE OF BENTON, ALABAMA.

Which was adopted.

REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 62. DEFINING THE LEGISLATIVE INTENT OF SECTION 25-4-78, CODE OF ALABAMA 1975, WHICH PROVIDES FOR DISQUALIFICATION FOR UNEMPLOYMENT BENEFITS.

On motion of Senator Parsons, the Resolution was then adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 105. URGING THE CITIZENS OF THIS STATE AND NATION TO REFRAIN FROM THE PURCHASE OF ALL PRODUCTS, GOODS AND EQUIPMENT MANUFACTURED BY ATARI, INCORPORATED.

On motion of Senator Covington, the Resolution was then concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 27. Relating to elections; authorizing the use of a greater variety of vote tabulating equipment including electronic vote counting systems; providing for a clearinghouse for information on voting equipment and for the testing and certification of such equipment; creating the Alabama Electronic Voting Committee, its membership, meetings and authority; prescribing certain duties for the Secretary of State; and providing definitions and procedures for implementation of the provisions of the Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Smith (J), the Senate concurred in and adopted the following House amendment to the Bill, S.B. 27, the title of which is set

out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 27

**A BILL
TO BE ENTITLED
AN ACT**

Relating to elections; authorizing the use of a greater variety of vote tabulating equipment including electronic vote counting systems; providing for a clearinghouse for information on voting equipment and for the testing and certification of such equipment; creating the Alabama Electronic Voting Committee, its membership, meetings and authority; prescribing certain duties for the Secretary of State; providing definitions and procedures for implementation of the provisions of the Act; prescribing that the provisions of this Act shall be cumulative; specifically prescribing that no provision herein shall be construed to repeal any provision of Title 17, Chapter 9, Code of Alabama 1975, relating to voting equipment, unless in direct conflict herewith; and limiting the authority of the Alabama Electronic Voting Committee to only the provisions of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Short Title.

This Act shall be known as The 1983 Election Reform Act.

Section 2. Definitions of terms.

For the purposes of this Act, the following terms shall have the meanings respectively ascribed to them by this section:

(a) **Electronic Vote Counting System.** A system in which votes are recorded on a paper ballot or on a ballot card by means of marking or by means of punching, and such votes are subsequently counted and tabulated by automatic tabulating equipment at one or more counting locations.

(b) **Automatic Tabulating Equipment.** Such term shall include any apparatus necessary to examine and count automatically votes designated on ballots, and data processing machines which can be used for counting ballots and tabulating results.

(c) **Ballot.** Such term shall include ballot cards, ballot labels, and paper ballots.

(d) **Ballot Card.** A ballot which is voted by the process of punching or marking.

(e) **Ballot Label.** A card, paper, booklet, or other material which contains the names of the offices and candidates and statements of questions to be voted on.

(f) **Committee.** The Alabama Electronic Voting Committee.

Section 3. Requirements for Approval.

(a) The governing body of any county or municipality or other political subdivision of the state may, in its discretion, by adoption of an appropriate resolution, authorize, adopt, and direct the use of electronic vote counting systems for use in all elections held in such county or municipality or other political subdivision or any portion thereof; and such resolution, a copy of which shall be filed with the secretary of state, shall specify the particular type of equipment to be used and a procedure for

implementation.

(b) Provided, however, that no such electronic vote counting system shall be used unless it has been constructed so that it shall:

(1) Permit and require voting in secrecy.

(2) Permit each elector to vote at any election for all persons and offices for whom and for which he or she is lawfully entitled to vote; to vote for as many persons for an office as he or she is entitled to vote for; and to vote for or against any question upon which he or she is entitled to vote.

(3) Permit the voter at other than primary elections to vote a straight political party ticket in one operation.

(4) Permit such automatic tabulating equipment to be set to reject all votes for any office or question when the number of votes therefor exceeds the number which the voter is entitled to cast or when the voter is not entitled to cast a vote for the office or question.

(5) Be capable of correctly counting votes.

(6) When used in primary elections, the automatic tabulating equipment will count only votes for the candidates of one party, reject all votes for an office when the number of votes therefor exceeds the number which the voter is entitled to cast, and reject all votes of a voter cast for candidates of more than one party.

(7) At presidential elections to permit each elector, by one operation, to vote for all presidential electors of a party or independent candidates for president or vice president.

(8) Provide a method for write-in voting.

(9) Be capable of accumulating a count of the specific number of ballots tallied for a precinct; and accumulating total votes by candidate for each office, and accumulating total votes for and against each question for such precinct.

(10) Be capable of tallying votes from ballots of different political parties from the same precinct, in the case of a primary election.

(11) Be capable of automatically producing precinct vote totals in printed, marked, or punched form, or a combination thereof.

(12) Be capable of accurately and correctly tabulating each vote and to have the same so certified.

Section 4. There is hereby created the Alabama Electronic Voting Committee which shall consist of five members. The committee shall consist of Secretary of State, a representative appointed by the Attorney General and one Judge of Probate appointed by the Chief Justice of the Supreme Court who shall serve without pay or reimbursement for expenses. Additionally, one member from the House of Representatives and one member from the Senate, to be appointed by the presiding officer of each house who shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the Legislature, upon warrants drawn on the state comptroller upon requisitions signed by the committee's chairman; provided, however, that members shall not receive additional legislative compensation or per diem when the Legislature is in session or if a member is being paid any other payments on the same dates

for attendance of other state business. The Judge of Probate shall be chairman. The committee shall meet at the call of the chair or any three members.

Section 5. Examination and Certification of Equipment. It shall be the duty of the Committee to ensure the examination, and certification of electronic vote counting systems in the following manner:

(a) By publicly examining all makes of electronic vote counting systems submitted and certifying whether such systems comply with the requirements of Section 5 of this Act.

(b) By inviting any vendor or company interested in selling electronic vote counting system in Alabama to submit such equipment for examination. The vote counting system shall be certified after a satisfactory evaluation and testing has been performed according to electronic industry standards. For the purpose of assisting in examining such system, the committee shall employ not more than three individuals who are expert in one or more fields of data processing, mechanical engineering, and public administration, who may or may not be state employees and shall require from them a written report of their examination. The vendor submitting a system for certification shall pay to the State of Alabama by depositing with the state treasury for distribution to reimburse the committee in an amount equal to the actual costs, if any, incurred in examining the system. Such reimbursement shall be made whether or not the system is certified. No member of the committee nor any examiner shall have any pecuniary interest in any voting equipment.

(c) After certification of any electronic vote counting system the secretary of state shall make and maintain a report on the system, and as soon as practicable shall send a notice of certification and, upon request, a copy of the report to all governing bodies of the counties of the state. Any electronic vote counting system that does not receive certification shall not be adopted or used at any election. After an electronic vote counting system has been certified, any change or improvement in the system shall be certified by the committee prior to the adoption of such change or improvement by any county. The committee shall not re-examine or recertify the system in its entirety. However, if any of the changes do not comply, the committee shall suspend all sales of the equipment or system in the state until such equipment or system complies with the requirements of this Act.

Section 6. Voting Equipment Information.

Examinations shall be conducted and a report of certification or rejection issued within ninety (90) days following request by vendor or company.

Section 7. Procedure for Implementation of this Act.

(a) So far as practicable, the procedures for voting paper ballots and voting machines as prescribed in Chapters 8 and 9 of Title 17 of the Code of Alabama 1975, shall apply to procedures followed pursuant to this Act.

(b) It shall be the duty of the committee to prescribe other procedures where necessary to achieve and maintain the maximum degree of correctness and impartiality of voting, counting, tabulating, and recording votes, by electronic or other vote counting systems provided by this Act.

Section 8. Instructions to Voters.

(a) If electronic vote counting systems are used, for the instruction of voters on election day, the election officials shall provide at each polling

place one instruction model illustrating the manner of voting. Each such instruction model shall show the ballot arrangement of offices, candidates and questions to be voted on. Such model shall be located at a place which voters must pass to reach the official voting booth.

(b) If electronic voting systems are used, before entering the voting booth each voter shall be offered instruction in voting by use of the instruction model, and the voter shall be given ample opportunity to operate the model. In instructing voters, no precinct official may show partiality to any political party or candidate.

Section 9. Testing of Equipment.

(a) Not more than 10 days prior to the election the officials charged with the responsibility of conducting the election shall have the automatic tabulating equipment tested to ascertain that the equipment will correctly count the votes cast for all offices and on all questions. Public notice of the time and place of the test shall be given at least forty-eight (48) hours prior thereto by written public service announcement, notices to newspapers and radio and television stations in the county and by filing such notice with the secretary of state. The election officials shall convene, and each shall certify to the accuracy of the test. The test shall be open to the public.

(b) The test shall be conducted by processing a preaudited group of ballots so punched or marked as to record a predetermined number of valid votes for each candidate and on each question and shall include for each office one or more ballots which have votes in excess of the number allowed by law in order to test the ability of the automatic tabulating equipment to reject such votes. If any error is detected, the cause therefor shall be ascertained and corrected and an errorless count shall be made before the automatic tabulating equipment is approved. Such test shall be repeated immediately before the start of the official count of the ballots in the same manner as set forth above. After the completion of the count, the test shall be repeated. The programs and ballots used shall be sealed and retained under the custody of the election officials charged with the responsibility of conducting the election.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. The provisions of this Act are cumulative and shall not be construed to repeal or supersede any provision of Title 17, Chapter 9, Code of Alabama 1975, relating to voting equipment, unless in direct conflict herewith.

Section 12. The authority of the Alabama Electronic Voting Committee relative to voting equipment shall be limited to the electronic vote counting equipment authorized under the provisions of this Act and such Committee shall have no authority to examine, approve, disapprove or otherwise affect the use of voting equipment authorized under Title 17, Chapter 9, Code of Alabama 1975.

Section 13. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

HOUSE COMMITTEE AMENDMENT TO COMMITTEE SUBSTITUTE FOR S. B. 27

Amend the Judiciary Committee Substitute to S.B. 27, Section 7(b), on

page 6, line 29, by striking the words

or other

where same appear thereon.

Yeas 16; Nays 0.

Yeas:

Senators:	Cooley	Harrison	Mitchell
Bachus	Dixon	Kirkland	Robertson
Bailey	Foshee	Little	Smith (J)
Barron	Goodwin	Menton	Teague
Bedford			

—16

Nays:

—0

(And the President and Presiding Officer of the Senate declared a quorum present but not voting.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 66. COMMENDING AND HONORING WILLIAM M. "BILL" RUSHTON.

Also:

S. J. R. 71. COMMENDING MR. WILLIAM M. BROWN UPON HIS INDUCTION INTO THE ALABAMA LIVESTOCK HALL OF FAME.

Also:

S. J. R. 72. UNITED STATES CONGRESS URGED TO REPEAL THE PROVISIONS RELATED TO WITHHOLDING ON SAVINGS IN THE TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 33. To create the position of assistant director of the department of aeronautics; to provide for his appointment, duties and salary.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Teague, the Senate concurred in and adopted the following House amendment to the Bill, S.B. 33, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 33

On page 1, Section 1, lines 20 and 21, delete the following language:

, whether under the merit system or otherwise

On page 1, Section 1, line 25, delete the figure \$500, and insert in lieu thereof:

\$8,000

On page 1, Section 1, lines 28 through 31, delete all the language following the period.

Yeas 20; Nays 0.

Yeas:

Senators:	Cooley	Goodwin	Mitchell
Amari	Covington	Harrison	Parsons
Bachus	Dixon	Kirkland	Robertson
Barron	Figures	Little	Smith (J)
Bedford	Foshee	Menton	Teague
Bishop			

—20

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate.

S. 2. Requiring contractors on certain public projects to use domestically produced steel under pain of contract revocation for violation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Covington, the Senate concurred in and adopted the following House amendment to the Bill, S.B. 2, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 2

This is to amend SB 2 as follows:

In Section 1, line 24, after the word "project", insert the following language:

, financed entirely by the State of Alabama or any political subdivision thereof,

In Section 1, line 27, after the period, insert the following language:

If, in the opinion of the Highway Director, the procurement of the above mentioned domestic steel products becomes impractical as a result of a national emergency, national strike, or other cause, the Highway Director may waive the above restriction for highway related projects. If, in the opinion of the Director of the Building Commission, the procurement of the above mentioned domestic steel products becomes impractical as a result of national emergency, national strike, or other causes, he may waive the above restriction for building construction.

Yeas 18; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Mitchell
Bachus	Cooley	Goodwin	Parsons
Bailey	Covington	Harrison	Smith (J)
Barron	Dixon	Little	Teague
Bedford	Figures	Menton	—18

Nays: —0

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolutions with the original Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. J. R. 37. COMMENDING HOWARD K. LYNAM EASTERN AREA CHAMBER OF COMMERCE CITIZEN OF THE YEAR-1982.

Also:

S. J. R. 38. COMMENDING JACKSON COUNTY SHERIFF WILLIAM R. (BOB) COLLINS.

Also:

S. J. R. 42. COMMENDING THE HUNTSVILLE ALABAMA CITY COUNCIL ON ITS INITIATIVE APPROACH TO A GOAL OF COMBATING THE DRUNK DRIVER PROBLEM IN THE CITY OF HUNTSVILLE.

Also:

S. J. R. 43. CREATING A JOINT LEGISLATIVE COMMITTEE ON INDUSTRIAL EXPANSION, ECONOMIC GROWTH AND JOBS AND REPEALING ACT NO. 28, SJR 3, FIRST SPECIAL SESSION.

Also:

S. J. R. 44. DESIGNATING THE MUSEUM PROPOSED BY ALABAMA MINING MUSEUM, INCORPORATED, AS THE OFFICIAL STATE COAL MINING MUSEUM OF ALABAMA.

Also:

S. J. R. 45. CREATING A JOINT INTERIM COMMITTEE TO OVERSEE THE IMPLEMENTATION OF ACT NO. 80-381, WHICH CREATED THE ALABAMA HUMAN RESOURCES BOARD.

Also:

S. J. R. 47. CREATING THE CULLMAN COUNTY ELECTED OFFICIALS SALARY COMMISSION.

Also:

S. J. R. 48. COMMENDING DALE COUNTY SHERIFF JAMES BRYANT MIXON FOR MERITORIOUS PROFESSIONAL ACCOMPLISHMENT.

Also:

S. J. R. 49. DEDICATING TROOP K, DRIVER LICENSE OFFICE AT DOTHAN IN MEMORY OF TROOPER MARVETTE HOLMES.

Also:

S. J. R. 52. REQUESTING THAT THE SECRETARY OF THE ARMY EXERCISE HIS AUTHORITY TO MAINTAIN NAVIGATION ON THE APALACHICOLA RIVER.

Also:

S. J. R. 53. URGING THE MOBILE COUNTY COMMISSION TO ASSUME ITS CONSTITUTIONAL RESPONSIBILITY IN PROVIDING AID TO THE UNIVERSITY OF SOUTH ALABAMA MEDICAL CENTER.

Also:

S. J. R. 58. TO ESTABLISH THE JOINT INTERIM COMMITTEE ON STUDY OF THE CAHABA RIVER.

Also:

S. J. R. 60. EXPRESSING THE CONCERN OF THE ALABAMA LEGISLATURE FOR OUR NATION'S ELDERLY CITIZENS.

CHARLES BISHOP,
Chairperson.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Payne:

H. J. R. 107. COMMENDING THE HEWITT-TRUSSVILLE HIGH SCHOOL WRESTLING TEAM AS OUR STATE 4A CHAMPIONS.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Bachus, the Rules were suspended and the Resolution, H. J. R. 107, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RECESS

At 3:35 P.M., on motion of Senator Teague, the Senate took a recess to return upon the call of the Chair.

At 4:10 P.M., the Senate was called to order by Lieutenant Governor Baxley. A quorum of the Senate was present.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 90. COMMENDING BIRMINGHAM POLICE OFFICER DAN BIANCHI, RECIPIENT OF THE DEPARTMENT'S MEDAL OF VALOR.

Also:

H. J. R. 91. COMMENDING THE HEWITT-TRUSSVILLE JUNIOR HIGH SCHOOL WRESTLING TEAM.

Also:

H. J. R. 92. COMMENDING THE FLOMATON HIGH SCHOOL WOMEN'S BASKETBALL TEAM.

Also:

H. J. R. 94. RECOGNIZING THE EVENDER G. SPRADLIN, II, FAMILY WHICH HAS BEEN HONORED AS FORT RUCKER, ALABAMA'S GREAT AMERICAN FAMILY.

Also:

H. J. R. 97. CREATING INTERIM COMMISSIONS TO ASSESS THE STATE'S EDUCATIONAL NEEDS IN THE AREA OF HIGH TECHNOLOGY.

Also:

H. J. R. 99. MOURNING THE TRAGIC AND UNTIMELY DEATH OF MR. GRADY NUTT OF LOUISVILLE, KENTUCKY.

Also:

H. J. R. 100. COMMENDING AND HONORING WILLIAM M. "BILL" RUSHTON.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has acceded to the request of the Senate for a new Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 36. To create and establish the Department of Economic and Community Affairs; to provide that: The Office of State Planning and Federal Programs, as created and provided for by Sections 41-9-205 through 41-9-

214, Code of Alabama 1975; the Alabama Department of Energy, as created and provided for by Sections 41-6A-1 through 41-6A-11, Code of Alabama 1975; the Alabama Law Enforcement Planning Agency as created and provided for by Sections 41-8A-1 through 41-8A-13, Code of Alabama 1975; the State Manpower Planning Council and CETA Manpower services, as created and provided for by federal laws and Executive Order No. 16, 1971; and the Office of Employment and Training, as created and provided for by federal laws and Executive Order No. 34, 1980, are merged into and shall be transferred to said Department of Economic and Community Affairs; to provide that all functions, duties, responsibilities, authority, assets, liabilities, contractual rights and obligations, property rights, appropriations, employees, property and supplies are vested in and transferred to the new agency; to continue the employment and rights and benefits of certain classified employees, whose job classifications are not abolished hereby, to provide for the appointment, term, compensation, duties and authority of the director of the Department of Economic and Community Affairs; to specifically continue the provisions of law relating to any councils and boards and advisory boards of: Title 41, Chapter 6A, Code of Alabama 1975, relating to the Alabama Energy Management Act of 1980; Title 41, Chapter 9, Article 8A, Code of Alabama 1975, relating to the Office of State Planning and Federal Programs; the State Manpower Planning Council (CETA); and the Office of Employment and Training; to provide that each of the merged agencies within the said new agency shall be divided into divisions; to provide for divisions and division chiefs and their appointment; and to provide for the change of the name of the State Manpower Planning Council (CETA) to the Office of Employment and Training and to transfer the functions of such council.

and has discharged the House conferees.

And the Speaker of the House has appointed as a new Committee on the part of the House Reps. Casey, Goodwin, and Martin.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 4. To amend Section 9-11-235.1 of the Code of Alabama 1975, so as to provide further for taking or hunting raccoons or opossums at night.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 36. To create and establish the Department of Economic and Community Affairs; to provide that: The Office of State Planning and Federal Programs, as created and provided for by Sections 41-9-205 through 41-9-214, Code of Alabama 1975; the Alabama Department of Energy, as created and provided for by Sections 41-6A-1 through 41-6A-11, Code of Alabama

1975; the Alabama Law Enforcement Planning Agency as created and provided for by Sections 41-8A-1 through 41-8A-13, Code of Alabama 1975; the State Manpower Planning Council and CETA Manpower services, as created and provided for by federal laws and Executive Order No. 16, 1971; and the Office of Employment and Training, as created and provided for by federal laws and Executive Order No. 34, 1980, are merged into and shall be transferred to said Department of Economic and Community Affairs; to provide that all functions, duties, responsibilities, authority, assets, liabilities, contractual rights and obligations, property rights, appropriations, employees, property and supplies are vested in and transferred to the new agency; to continue the employment and rights and benefits of certain classified employees, whose job classifications are not abolished hereby, to provide for the appointment, term, compensation, duties and authority of the director of the Department of Economic and Community Affairs; to specifically continue the provisions of law relating to any councils and boards and advisory boards of: Title 41, Chapter 6A, Code of Alabama 1975, relating to the Alabama Energy Management Act of 1980; Title 41, Chapter 9, Article 8A, Code of Alabama 1975, relating to the Office of State Planning and Federal Programs; the State Manpower Planning Council (CETA); and the Office of Employment and Training; to provide that each of the merged agencies within the said new agency shall be divided into divisions; to provide for divisions and division chiefs and their appointment; and to provide for the change of the name of the State Manpower Planning Council (CETA) to the Office of Employment and Training and to transfer the functions of such council.

said Conference Report being in words and figures as follows:

**REPORT OF CONFERENCE COMMITTEE
H. B. 36**

We, the Committee on Conference appointed to reconcile the differences between the two Houses concerning House Bill 36, have met, considered the matter, and agreed to the following report.

We recommend that the attached Conference Committee Substitute be adopted.

/s/ John Casey
John Casey

/s/ J. W. "Joe" Goodwin
J. W. "Joe" Goodwin

/s/ Charles B. Martin
Charles B. Martin

CONFEREES OF THE HOUSE

/s/ E. C. "Crum" Foshee
E. C. "Crum" Foshee

/s/ Earl Goodwin
Earl Goodwin

/s/ Reo Kirkland, Jr.
Reo Kirkland, Jr.

CONFEREES OF THE SENATE

**CONFERENCE COMMITTEE
SUBSTITUTE FOR H. B. 36****A BILL
TO BE ENTITLED
AN ACT**

To create and establish the Department of Economic and Community Affairs; to provide that: The Office of State Planning and Federal Programs, as created and provided for by Sections 41-9-205 through 41-9-214, Code of Alabama 1975; the Alabama Department of Energy, as created and provided for by Sections 41-6A-1 through 41-6A-11, Code of Alabama 1975; the Alabama Law Enforcement Planning Agency as created and provided for by Sections 41-8A-1 through 41-8A-13, Code of Alabama 1975; the State Manpower Planning Council and CETA Manpower services, as created and provided for by federal laws and Executive Order No. 16, 1971; the Office of Highway and Traffic Safety as created and provided for by federal laws and Sections 32-4-1 through 32-4-7, Code of Alabama 1975; and the Office of Employment and Training, as created and provided for by federal laws and Executive Order No. 34, 1980, are merged into and shall be transferred to said Department of Economic and Community Affairs; to provide that all functions, duties, responsibilities, authority, assets, liabilities, contractual rights and obligations, property rights, appropriations, employees, property and supplies are vested in and transferred to the new agency; to continue the employment and rights and benefits of certain classified employees, whose job classifications are not abolished hereby, to provide for the appointment, term, compensation, duties and authority of the director of the Department of Economic and Community Affairs; to specifically continue the provisions of law relating to any councils and boards and advisory boards of Title 41, Chapter 6A, Code of Alabama 1975, relating to the Alabama Energy Management Act of 1980; Title 41, Chapter 9, Article 8A, Code of Alabama 1975, relating to the Office of State Planning and Federal Programs; the State Manpower Planning Council (CETA); the Office of Highway and Traffic Safety; the Alabama Law Enforcement Planning Agency; and the Office of Employment and Training; to provide that each of the merged agencies within the said new agency shall be divided into divisions; to provide for divisions and division chiefs and their appointment; and to provide for the change of the name of the State Manpower Planning Council (CETA) to the Office of Employment and Training and to transfer the functions of such council.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established the Department of Economic and Community Affairs within the office of the Governor and directly under his supervision and control. The Department of Economic and Community Affairs shall consist of: The Governor, the Office of State Planning and Federal Programs, the Alabama Department of Energy, Alabama Law Enforcement Planning Agency, the Office of Highway and Traffic Safety, and the Office of Employment and Training as presently created by and provided for in Sections 41-9-205 through 41-9-214, Sections 41-6A-1 through 41-6A-11, Sections 41-8A-1 through 41-8A-4, Sections 41-8A-8 through 41-8A-10, and Sections 41-8A-12 through 41-8A-13, 32-4-1 through 32-4-7, and Executive Order No. 34, 1980, respectively, and in accordance with the applicable federal laws. All respective functions, duties, responsibilities, obligations, property rights, appropriations, employees, property and supplies as provided by said sections, and whether accruing or vesting, are hereby transferred to and vested in the Department of Economic and

Community Affairs.

Section 2. Present employees in the classified service of the state merit system within each agency transferred in Section 1 of this Act whose job classifications are not abolished hereinafter, shall continue with the Department of Economic and Community Affairs in such functions deemed necessary to carry out the duties and responsibilities of the Department of Economic and Community Affairs. Other employees necessary to implement the duties and functions of the Department of Economic and Community Affairs may be employed subject to the provisions of the state merit system laws and shall be entitled to the same rights and benefits thereunder. Salaries set for such employees shall not exceed the salary set by law for executive department heads.

Nothing herein shall be construed to prevent or preclude the removal of an employee in a manner provided by this Act, or for cause in a manner provided by law.

Section 3. All appropriations heretofore or hereafter made to: the Office of State Planning and Federal Programs, the Alabama Department of Energy, the Alabama Law Enforcement Planning Agency, the State Manpower Planning Council (CETA), the Office of Highway and Traffic Safety, and the Office of Employment and Training are hereby consolidated and transferred to the Department of Economic and Community Affairs.

Section 4. (a) The Governor shall appoint a chief administrative officer to be designated as director of the Department of Economic and Community Affairs. Such officer shall serve at the pleasure of the Governor at a salary to be set in the same manner and with the same limitations as otherwise provided by law for executive department heads. The director of the said department shall be a member of such boards, councils and commissions, as they relate to his authority under the provisions of this Act, and as required and currently authorized under the various federal programs and as approved by the Governor.

(b) The Governor through the Department of Economic and Community Affairs shall encourage comprehensive and coordinated planning and programming of economic and community affairs.

Section 5. (a) The director of the Department of Economic and Community Affairs, with the approval of the Governor, may establish such division or divisions as may, in his discretion, be reasonably necessary for the administration and enforcement of any law, rule or regulation with which the department is charged or the performance of any of its functions or duties. Each division in the department shall be headed by and be under the direction, supervision and control of an officer who shall be designated as the chief of such division. All chiefs of divisions shall be appointed by the director of said department, with the approval of the Governor. Before entering upon the discharge of their duties, such chiefs of divisions shall take the constitutional oath of office. Each of such officers shall devote his full time to his official duties and shall hold no other lucrative position while serving as such. The offices or positions of director of any of the merged departments or agencies are hereby abolished.

(b) It is one of the purposes of this Act to coordinate, into one department, the functions of the Office of State Planning and Federal Programs, the Alabama Department of Energy, Alabama Law Enforcement Planning Agency, the Office of Highway and Traffic Safety, and the Office of Employment and Training or any successor thereto. There is hereby established the

following divisions: The Office of State Planning and Federal Programs, the Alabama Department of Energy, Alabama Law Enforcement Planning Agency, the Office of Highway and Traffic Safety, and the Office of Employment and Training. The functions of each division shall be administered by a division chief who shall be full-time and salaried as now provided by law. Each division chief shall report to and be under the supervision of the director of the Department of Economic and Community Affairs.

Section 6. The director of the Department of Economic and Community Affairs may prescribe such reasonable rules and regulations for the conduct of its business and made in accordance with the Alabama Administrative Procedure Act.

Section 7. Legislative Oversight Commission. (a) There is hereby created the Department of Economic and Community Affairs Legislative Oversight Commission to consist of the Chairman and Deputy Chairman of the Senate Committee on Finance and Taxation, three members of the Senate to be appointed by the Lieutenant Governor, the Chairman and Vice Chairman of the House Ways and Means Committee, and three members of the House of Representatives to be appointed by the Speaker of the House.

(b) The Commission shall hold an organizational meeting within thirty (30) days after this bill is enacted, and shall elect a chairman and vice chairman from among its members. Thereafter, the Commission shall meet at least two times annually, and additional meetings shall be held at the call of the Chairman or upon the request of six or more members. Such meetings shall be held with the Director of the Department of Economic and Community Affairs in attendance.

(c) The Commission shall adopt its own rules of procedure for the transaction of business, and a majority of the members present shall constitute a quorum for the purpose of transacting business or performing authorized duties.

(d) Each member of the Commission shall be entitled to his or her regular legislative compensation and per diem and travel expenses for each day he or she attends a meeting or conducts business of the Commission, and such compensation and expenses shall be paid from the funds appropriated for the use of the Legislature.

(e) The Commission shall monitor and evaluate the management and operations of the Department of Economic and Community Affairs, shall recommend to the Legislature the enactment of such laws respecting the Department of Economic and Community Affairs as the Commission shall deem desirable, and shall submit a written report on the operations, finances and grants made by the Department of Economic and Community Affairs during each Regular Session of the Alabama Legislature.

Section 8. All laws or parts of laws, local, special or general, in conflict with the provisions of this Act are hereby specifically repealed.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

SECOND EXTRAORDINARY SESSION
9th Day

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And said bill, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND CONFERENCE MESSAGE

On motion of Senator Goodwin, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, H.B. 36, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 21; Nays 0.

Yeas:

Senators:	Bishop	Goodwin	Menton
Amari	Cooley	Harrison	Parsons
Bachus	Covington	Hilliard	Robertson
Bailey	Dixon	Kirkland	Smith (J)
Barron	Figures	Little	Teague
Bedford	Foshee		

—21

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate.

S. 16. To amend Section 11-54-80, as heretofore amended, to include as permissible projects hotels, motor inns and similar short-term lodging facilities.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Hilliard, the Senate concurred in and adopted the following House amendment to the Bill, S.B. 16, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 16

Amend S.B. 16 on page 3, by inserting a new Section 3 and substituting in lieu thereof the following language:

Section 3. All hotels and motel inns built under this Act shall not be exempt from ad valorem taxes.

Further amend by renumbering subsequent section(s).

HOUSE AMENDMENT TO S. B. 16, AS AMENDED

Amend S.B. 16 in the Synopsis, on page 1, line 11 by deleting the words "~~or similar short term lodging facilities~~"

Further amend in the title, on page 1, lines 19 and 20, by deleting the words "~~and similar short term lodging facilities~~"

Further amend in Section 1, on page 2, line 6 by deleting the under-

lined words "~~or similar daily or monthly lodging services,~~" and insert in lieu thereof the following language:

, specifically excluding public dormitories or student housing facilities for institutions of higher learning

Yeas 13; Nays 0.

Abstaining 1.

Yeas:

Senators:	Bishop	Hilliard	Menton	
Bachus	Cooley	Kirkland	Robertson	
Bailey	Covington	Little	Smith (J)	
Barron	Figures			—13

Nays: —0

Abstaining: Senator Amari —1

(And the President and Presiding Officer of the Senate declared a quorum present but not voting.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 14. To amend the Title and Section 1 of Act No. 79-722 adopted at the 1979 Regular Session of the Legislature of Alabama approved August 8, 1979, as amended by Act No. 80-315 adopted at the 1980 Regular Session of the Legislature of Alabama approved May 6, 1980, and by Act No. 82-440 enacted at the 1982 Regular Session of the Legislature of Alabama and codified in Article 5 of Title 11, Code of Alabama 1975: authorizing Class 4, 5, 6, 7, 8 municipalities in this state to acquire properties suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such properties subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof, so as to make said Act

as amended applicable to Class 1, 2 or 3 municipalities in the state and to industrial development boards created under Division 1 of Article 4 of Chapter 54, Title 11, Code of Alabama 1975, as amended, to include projects providing hotel, motor inn, and similar daily or monthly lodging services, amending title to encompass amendment made in said Act No. 82-440 and ratifying and confirming said Acts 80-315 and 82-440, permitting municipalities, under certain conditions, to lease or sell municipal properties for such projects, as heretofore provided, and to except contracts incident to such projects from competitive bidding.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Hilliard, the Senate concurred in and adopted the following House amendment to the Bill, S.B. 14, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 14

A BILL TO BE ENTITLED AN ACT

To amend the Title and Section 1 of Act No. 79-722 adopted at the 1979 Regular Session of the Legislature of Alabama approved August 8, 1979, as amended by Act No. 80-315 adopted at the 1980 Regular Session of the Legislature of Alabama approved May 6, 1980, and by Act No. 82-440 enacted at the 1982 Regular Session of the Legislature of Alabama, approved May 4, 1982, and codified in Article 5 of Chapter 54 of Title 11, Code of Alabama 1975: authorizing Class 4, 5, 6, 7, 8 municipalities in this state to acquire properties suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such properties subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof, so as to make said Act as amended applicable to Class 1, 2 or 3 municipalities in the state to include projects providing hotel, motor inn, and similar daily or monthly lodging services, amending title to encompass amendment made in said Act No. 82-

440 and ratifying and confirming said Acts 80-315 and 82-440, permitting municipalities, under certain conditions, to lease or sell municipal properties for such projects, as heretofore provided, and to except contracts incident to such projects from competitive bidding.

Be It Enacted by the Legislature of Alabama:

Section 1. That the title of Act No. 79-722 adopted at the 1979 Regular Session of the Legislature of Alabama, approved August 8, 1979 (herein called "Act No. 79-722"), as heretofore amended by Act No. 80-315 adopted at the 1980 Regular Session of the Legislature of Alabama approved May 6, 1980, and by Act No. 82-440 adopted at the 1982 Regular Session of the Legislature of Alabama, and approved May 4, 1982, and codified in Article 5 of Chapter 54 of Title 11, Code of Alabama 1975, pocket part, shall be and is hereby amended to read as follows:

"Relative to Class 1, 2, 3, 4, 5, 6, 7 and 8 municipalities in this state having a population of not more than 99,999 inhabitants according to the last or any subsequent Federal decennial census; authorizing each such municipality to acquire properties suitable for use by any commercial enterprise in furnishing hotel and similar daily or monthly lodging services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such properties subject to certain requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor except that municipal property may be leased or sold for fair market value or rental to be conclusively determined by the governing body of the municipality owning such property; providing that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof, and to add a section to said Act 79-722 providing that contracts incident to projects acquired, contracted or financed hereunder shall be exempt from certain competitive bid laws, applicable to municipalities."

Section 2. That Section 1 of Act No. 79-722, as heretofore amended, (Section 11-54-140, Code of Alabama 1975, pocket part) shall be and is hereby further amended to read as follows:

"Section 1. DEFINITIONS. Wherever used in this act, unless a different meaning clearly appears in the context, the following terms, whether used in the singular or plural, shall be given the following respective interpretations: "Municipality" means either, as the case may be, any Class 1, 2,

3, 4, 5, 6, 7 and 8 incorporated city in this state having ~~a population of not more than 99,999 inhabitants according to the last or any subsequent Federal decennial census~~; "Project" means any land and any building or other improvement thereon, and all real and personal properties deemed necessary in connection therewith, whether or not now in existence, which shall be suitable for use by any commercial enterprise in furnishing hotel, motor inn, or similar daily or monthly lodging services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; "Governing body" means the board or body in which the legislative powers of the municipality are vested; "Mortgage" means a mortgage or a mortgage and deed of trust."

Section 3. Said Act No. 79-722 is further amended by the addition thereto of the following Section 11A thereto:

"Any municipality when acting pursuant to the authority of this act, and all contracts entered into incident to any project acquired, constructed or financed under this act shall be exempt from the provisions and requirements of Sections 41-16-50 through 41-16-63 which provide for competitive bids in connection with certain contracts."

Section 4. Section 9 of said Act 79-722 (Section 11-54-148, Code of Alabama 1975, pocket part) is hereby amended to read as follows:

"No municipality shall have the power to pay out of its general funds or otherwise contribute any part of the costs of acquiring a project, and shall not have the power to use land already owned by the municipality, or in which the municipality has an equity, for construction thereon of a project or any part thereof; provided, however, that municipal property which is not needed for public or municipal purposes may be sold for fair market values to be conclusively determined by the governing body of the municipality owning such property. The entire cost of acquiring any project must be paid out of the proceeds from the sale of bonds issued under the authority of this article; provided, however, that this provision shall not be construed to prevent a municipality from accepting donations of property to be used as a part of any project or money to be used for defraying any part of the cost of any project."

Section 5. The provisions of this act are cumulative and are not intended to be in conflict with the provisions of any similar code or statutory provision, or to restrict any powers otherwise granted to any municipality.

Section 6. Act No. 79-722, Act No. 80-315 and Act No. 82-440, now codified as Article 5 of Chapter 54 of Title 11, Code of Alabama 1975, pocket part, as herein amended, are hereby adopted, approved, ratified and confirmed in all respects.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

HOUSE AMENDMENT TO SUBSTITUTE FOR S. B. 14

In the synopsis, page 1, line 16, and in the title, page 2, lines 26 and 27, delete the phrases "and similar daily and monthly lodging facilities" and "and similar daily or monthly lodging facilities" respectively.

In section 1, page 3, delete lines 13 and 14 completely and insert in lieu thereof the following language:

enterprise in furnishing hotel services, excluding specifically public dor-

mitories or student housing facilities for institutions of higher learning, but including food or lodging or both, and the rental of ground

HOUSE AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR S. B. 14

Amend substitute for S.B. 14 on page 4, Section 2, lines 22 and 23 by deleting the following language:

~~meter inn, or similar daily or monthly lodging services,~~

Further amend by substituting in lieu of the above language the following:

excluding specifically public dormitories or student housing facilities for institutions of higher learning,

Yeas 13; Nays 0.

Yeas:

Senators:	Bishop	Figures	Little	
Bachus	Cooley	Goodwin	Menton	
Bailey	Covington	Hilliard	Smith (J)	
Barron	Dixon			—13

Nays: —0

(And the President and Presiding Officer of the Senate declared a quorum present but not voting.)

MOTION TO ADJOURN

Senator Kirkland moved that when the Senate adjourns today, it adjourn sine die, which motion was adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Lewis:

H. J. R. 106. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when we adjourn today, February 24, 1983, we adjourn Sine Die.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Kirkland, the Rules were suspended and the Resolution, H.J.R. 106, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 29. To amend Section 32-5-171, Code of Alabama, 1975, by in-

serting the words "Section 32-5A-191" in lieu of "Section 32-5-170" where the same appears in said section.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 105. URGING THE CITIZENS OF THIS STATE AND NATION TO REFRAIN FROM THE PURCHASE OF ALL PRODUCTS, GOODS AND EQUIPMENT MANUFACTURED BY ATARI, INCORPORATED.

Also:

H. J. R. 107. COMMENDING THE HEWITT-TRUSSVILLE HIGH SCHOOL WRESTLING TEAM AS OUR STATE 4A CHAMPIONS.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 106. Relative to adjourning Sine Die on February 24, 1983.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 36. To create and establish the Department of Economic and Community Affairs; to provide that: The Office of State Planning and Federal

Programs, as created and provided for by Sections 41-9-205 through 41-9-214, Code of Alabama 1975; the Alabama Department of Energy, as created and provided for by Sections 41-6A-1 through 41-6A-11, Code of Alabama 1975; the Alabama Law Enforcement Planning Agency as created and provided for by Sections 41-8A-1 through 41-8A-13, Code of Alabama 1975; the State Manpower Planning Council and CETA Manpower services, as created and provided for by federal laws and Executive Order No. 16, 1971; the Office of Highway and Traffic Safety as created and provided for by federal laws and Sections 32-4-1 through 32-4-7, Code of Alabama 1975; and the Office of Employment and Training, as created and provided for by federal laws and Executive Order No. 34, 1980, are merged into and shall be transferred to said Department of Economic and Community Affairs; to provide that all functions, duties, responsibilities, authority, assets, liabilities, contractual rights and obligations, property rights, appropriations, employees, property and supplies are vested in and transferred to the new agency; to continue the employment and rights and benefits of certain classified employees, whose job classifications are not abolished hereby, to provide for the appointment, term, compensation, duties and authority of the director of the Department of Economic and Community Affairs; to specifically continue the provisions of law relating to any councils and boards and advisory boards of Title 41, Chapter 6A, Code of Alabama 1975, relating to the Alabama Energy Management Act of 1980; Title 41, Chapter 9, Article 8A, Code of Alabama 1975, relating to the Office of State Planning and Federal Programs; the State Manpower Planning Council (CETA); the Office of Highway and Traffic Safety; the Alabama Law Enforcement Planning Agency; and the Office of Employment and Training; to provide that each of the merged agencies within the said new agency shall be divided into divisions; to provide for divisions and division chiefs and their appointment; to provide for the change of the name of the State Manpower Planning Council (CETA) to the Office of Employment and Training and to transfer the functions of such council.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. 2. Requiring contractors on certain public projects to use domestically produced steel under pain of contract revocation for violation.

Also:

S. 4. To amend Section 9-11-235.1 of the Code of Alabama 1975, so as to provide further for taking or hunting raccoons or opossums at night.

Also:

S. 16. To amend Section 11-54-80, as heretofore amended, to include as permissible projects hotels, motor inns.

Also:

S. 14. To amend the Title and Section 1 of Act No. 79-722 adopted at the 1979 Regular Session of the Legislature of Alabama approved August 8, 1979, as amended by Act No. 80-315 adopted at the 1980 Regular Session of the Legislature of Alabama approved May 6, 1980, and by Act No. 82-440 enacted at the 1982 Regular Session of the Legislature of Alabama, approved May 4, 1982, and codified in Article 5 of Chapter 54 of Title 11, Code of Alabama 1975; authorizing Class 4, 5, 6, 7, 8 municipalities in this state to acquire properties suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such properties subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof, so as to make said Act as amended applicable to Class 1, 2 or 3 municipalities in the state to include projects providing hotel, motor inn, amending title to encompass amendment made in said Act No. 82-440 and ratifying and confirming said Acts 80-315 and 82-440, permitting municipalities, under certain conditions, to lease or sell municipal properties for such projects, as heretofore provided, and to except contracts incident to such projects from competitive bidding.

Also:

S. 27. Relating to elections; authorizing the use of a greater variety of vote tabulating equipment including electronic vote counting systems; providing for a clearinghouse for information on voting equipment and for the testing and certification of such equipment; creating the Alabama Electronic Voting Committee, its membership, meetings and authority; prescribing certain duties for the Secretary of State; providing definitions and procedures for implementation of the provisions of the Act; prescribing that the provisions of this Act shall be cumulative; specifically prescribing that no provision herein shall be construed to repeal any provision of Title 17, Chapter 9, Code of Alabama 1975, relating to voting equipment, unless in direct conflict herewith; and limiting the authority of the Alabama Elec-

tronic Voting Committee to only the provisions of this Act.

Also:

S. 29. To amend Section 32-5-171, Code of Alabama, 1975, by inserting the words "Section 32-5A-191" in lieu of "Section 32-5-170" where the same appears in said section.

Also:

S. 33. To create the position of assistant director of the department of aeronautics; to provide for his appointment, duties and salary.

Also:

S. J. R. 66. COMMENDING AND HONORING WILLIAM M. "BILL" RUSHTON.

Also:

S. J. R. 68. MOURNING THE DEATH OF MR. JOE ZIFF OF JASPER, ALABAMA.

Also:

S. J. R. 71. COMMENDING MR. WILLIAM M. BROWN UPON HIS INDUCTION INTO THE ALABAMA LIVESTOCK HALL OF FAME.

Also:

S. J. R. 72. UNITED STATES CONGRESS URGED TO REPEAL THE PROVISIONS RELATED TO WITHHOLDING ON SAVINGS IN THE TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982.

CHARLES BISHOP,
Chairperson.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Bills and Senate Joint Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

S. J. R. 1

S. J. R. 2

S. J. R. 15

S. J. R. 3

Delivered to the Governor, February 16, 1983, at 3:15 P.M.

S. B. 7

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S. B. 18

Delivered to the Governor, February 16, 1983, at 7:20 P.M.

S. J. R. 18

S. J. R. 20

S. J. R. 21

S. J. R. 22

S. J. R. 25

S. J. R. 27

S. J. R. 28

S. J. R. 34

Delivered to the Governor, February 17, 1983, at 11:35 A.M.

S. B. 22

S. B. 24

S. B. 26

Delivered to the Governor, February 17, 1983, at 6:30 P.M.

S. J. R. 37

S. J. R. 38

S. J. R. 42

S. J. R. 43

S. J. R. 44

S. J. R. 45

S. J. R. 47

S. J. R. 48

S. J. R. 52

S. J. R. 53

S. J. R. 58

S. J. R. 60

S. J. R. 49

Delivered to the Governor, February 24, 1983, at 4 o'clock P.M.

S. B. 2

S. B. 4

S. B. 14

S. B. 16

S. B. 27

S. B. 29

S. B. 33

S. J. R. 66

S. J. R. 68

S. J. R. 71

S. J. R. 72

Delivered to the Governor, February 24, 1983, at 5:55 P.M.

McDOWELL LEE,
Secretary of Senate.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNALS

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journals of the Senate for the Eighth and Ninth Legislative Days and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,
Chairperson.

COMMITTEE REPORT

On motion of Senator Bishop, the foregoing report was concurred in and the Journals of the Senate for the Eighth and Ninth Legislative Days were approved by the Senate.

ADJOURNMENT

At 4:20 P.M., on motion of Senator Kirkland, in accordance with Motion and Joint Resolution heretofore adopted, the Senate adjourned sine die.

/s/McDOWELL LEE
Secretary.

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SECOND EXTRAORDINARY SESSION, 1983**

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Section 12-15-7, juvenile probation officers
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Section 13A-7-42, second degree arson further defined
H.B. 6, pages 90, 100, 285, 296, Act no. 83-177

Section 15-13-2, bail provisions in certain cases
S.B. 5, page 8

Section 16-22-6, payroll deductions for educational employees
S.B. 17, pages 11, 25, 130, 133
H.B. 8, pages 247, 273, 291, 297, 311, Act no. 83-207

Sections 16-25-14(i) and 16-27-16(e), employees' and teachers' retirement systems
S.B. 21, pages 12, 25, 116
H.B. 5, pages 246, 271, 305, 311, Act no. 83-160

Sections 25-4-10, 25-4-16, 25-4-32, 25-4-51, 25-4-52, 25-4-54, 25-4-70, 25-4-72, 25-4-73, 25-4-74, 25-4-77, 25-4-78, 25-4-91, 25-4-130, 25-4-132, 25-4-133, and 25-4-145, unemployment compensation act

- H.B. 11, pages 243, 272, 301, 308, 312, Act no. 83-155
- Sections 25-4-16 and 25-4-72, unemployment compensation
S.B. 31, page 22
- Section 26-1-1, alcoholic beverages, age of majority
S.B. 39, page 242
- Section 26-7A-1, appointment of curators by probate courts
S.B. 22, pages 13, 23, 117, 245, 268, 353, Act no. 83-153
- Section 28-3A-11, retail liquor lounges
S.B. 39, page 242
- Section 28-3A-25, alcoholic beverage licensing code
S.B. 6, pages 9, 23
- Section 32-5-171, alcoholic beverage and controlled substances, driving under influence of, technical error corrected
S.B. 29, pages 14, 23, 131, 132, 348, 352, 353, Act no. 83-201
- Section 32-8-86, removal or falsification of serial numbers on vehicles
S.B. 8, pages 9, 23
- Section 36-17-8, procedures for state treasurer in paying principal and interest on bonded indebtedness
H.B. 25, pages 241, 276, 282, 284, 287, 309, 313, Act no. 83-165
- Sections 36-22-42 and 36-22-43, deductions from sheriffs' salaries and retirement payments for retired sheriffs
H.B. 24, pages 248, 271, 305, 312, Act no. 83-162
- Sections 41-22-25 and 41-22-27, administrative procedure act S.B. 30, pages 22, 100

CODE OF ALABAMA, 1975 REPEALED

- Section 2-8-53, assessment on sale of swine, exemption eliminated
S.B. 24, pages 13, 24, 113, 248, 268, 353, Act no. 83-151
- Section 9-11-235.1, nighttime hunting of raccoon and opossum
H.B. 18, page 245
- Section 30-3-3, divorce or death, visitation rights of grandparents
H.B. 14, pages 90, 100, 135, 288, 296, Act no. 83-176
- Sections 41-8A-5, 41-8A-6, 41-8A-7, and 41-8A-11, Alabama law enforcement planning agency supervisory board
S.B. 36, page 107
H.B. 36, pages 248, 271, 290, 293, 294, 315, 323, 337, 338, 349, Act no. 83-194

COMPTROLLER, STATE

- Continuing appropriation to, for administration of fair trial tax fund
H.B. 22, pages 247, 271

CONTRACTORS

- Steel, domestically produced, required to use on certain public projects under pain of contract revocation
S.B. 22, pages 13, 23, 117, 245, 268, 353, Act no. 83-153

CONTROLLED SUBSTANCES

Persons charged with driving under the influence of, to be detained for a reasonable time before making bail provisions
S.B. 5, page 8

COUNSELING, BOARD OF EXAMINERS IN

Appropriation from its fund for general operations
H.B. 9, page 246

COUNTIES

Cultural facilities, public, authorized to acquire and construct
S.B. 38, page 123
H.B. 32, pages 246, 271, 306, 312, Act no. 83-163

Distribution of revenues to, by state agencies, further provided
H.B. 23, pages 241, 272

CRIMES AND OFFENSES

Arson, second degree, further defined
H.B. 6, pages 90, 100, 285, 296, Act no. 83-177

Motor vehicles, removal or falsification of serial numbers on, or on engines, transmissions, or other identifiable parts, forfeiture and condemnation provided
S.B. 8, pages 9, 23

Persons charged with driving under the influence of alcohol or controlled substances to be detained for a reasonable time before making bail provisions
S.B. 5, page 8

Theft of fish from fish farms declared a misdemeanor, penalties S.B. 26, pages 13, 25, 106, 249, 269, 353, Act no. 83-152

Woodlands, willful and malicious burning of, further provided H.B. 30, page 246

CULTURAL FACILITIES

Acquisition and construction of, counties authorized to qualify for
S.B. 38, page 123
H.B. 32, pages 246, 271, 306, 312, Act no. 83-163

CURATORS

Appointment of, by probate court, further provided
S.B. 22, pages 13, 23, 117, 245, 268, 353, Act no. 83-153

DIVORCE

Or death of parent, visitation rights of grandparents
H.B. 14, pages 90, 100, 135, 288, 296, Act no. 83-176

ECONOMIC AND COMMUNITY AFFAIRS, DEPARTMENT OF

Created and established, several state agencies merged into
S.B. 36, page 107
H.B. 36, pages 248, 271, 290, 293, 294, 315, 323, 337, 338, 349, Act no. 83-194

EDUCATION

Continuing legal, certain public officials who are attorneys exempt from requirement of mandatory
S.B. 3, pages 8, 23
H.B. 13, pages 91, 100, 266, 273, 293

EDUCATIONAL EMPLOYEES

Individual retirement account fund, payroll deductions for further provided
S.B. 17, pages 11, 25, 130, 133
H.B. 8, pages 247, 273, 291, 297, 311, Act no. 83-207

ELECTIONS

Vote tabulating equipment, greater variety of authorized, electronic voting committee created
S.B. 27, pages 13, 23, 112, 328, 351, 353, Act no. 83-200

ELECTRONIC VOTING COMMITTEE, ALABAMA

Created, as clearinghouse for information on voting equipment, powers and duties
S.B. 27, pages 13, 23, 112, 328, 351, 353, Act no. 83-200

EMERGENCY MANAGEMENT AGENCY, ALABAMA

Name of civil defense department changed to
S.B. 37, pages 122, 242

EMPLOYEES' INDIVIDUAL RETIREMENT ACCOUNT FUND, PUBLIC

Educational employees, payroll deductions for further provided
S.B. 17, pages 11, 25, 130, 133
H.B. 8, pages 247, 273, 291, 297, 311, Act no. 83-207

EMPLOYEES' RETIREMENT SYSTEM

Time required for restoration to active service changes
S.B. 21, pages 12, 25, 116
H.B. 5, pages 246, 271, 305, 311, Act no. 83-160

EMPLOYEES, STATE

Aeronautics, department of, position of assistant director authorized
S.B. 33, pages 23, 101, 131, 133, 333, 352, 353, Act no. 83-202

EMPLOYERS

Additional assessment on, to pay interest on federal advances to unemployment benefits
S.B. 34, page 30
H.B. 33, pages 242, 273, 281, 283, 284, 296, Act no. 83-178

EMPLOYMENT AND TRAINING, OFFICE OF

Merged into department of economic and community affairs
S.B. 36, page 107
H.B. 36, pages 248, 271, 290, 293, 294, 315, 323, 337, 338, 349, Act no. 83-194

ENERGY, DEPARTMENT OF

Merged into department of economic and community affairs

S.B. 36, page 107

H.B. 36, pages 248, 271, 290, 293, 294, 315, 323, 337, 338, 349, Act no. 83-194

FAIR TRIAL TAX FUND

Continuing appropriation to state comptroller for administration of

H.B. 22, pages 247, 271

FEDERAL GOVERNMENT

Funds advanced by, to unemployment compensation trust fund, payment of interest on provided

S.B. 34, page 30

H.B. 33, pages 242, 273, 281, 283, 284, 296, Act no. 83-178

FISH

Theft of, from fish farms, declared criminal offense, penalties

S.B. 26, pages 13, 25, 106, 249, 269, 353, Act no. 83-152

GRANDPARENTS

Visitation rights of, in cases of divorce or death of parents

H.B. 14, pages 90, 100, 135, 288, 296, Act no. 83-176

HEATING AND AIR CONDITIONING CONTRACTORS, BOARD OF

Supplemental appropriation

S.B. 32, pages 22, 124

H.B. 17, pages 247, 271, 304, 311, Act no. 83-161

HIGH SCHOOL ATHLETIC ASSOCIATION, ALABAMA

Certain high school officials not eligible for membership if Paint Rock valley high school not eligible for post-season competition

S.B. 11, page 10

HOTEL SERVICES

Property suitable for, municipalities to acquire, to be managed by commercial enterprise

S.B. 14, pages 10, 25, 113, 344, 351, 353, Act no. 83-198

HOTELS

Included as permissible projects to be financed by industrial development boards

S.B. 16, pages 11, 26, 114, 116, 343, 351, 353, Act no. 83-199

HUNTING AND FISHING

Raccoons and opossums, taking or hunting of at night, further provided

S.B. 4, pages 8, 24, 114, 338, 350, 353, Act no. 83-197

H.B. 18, page 245

IDENTIFICATION NUMBERS

Removal or falsification of, on vehicles, engines, transmissions, or other identifiable parts, forfeiture and condemnation provided

S.B. 8, pages 9, 23

INDIVIDUAL RETIREMENT ACCOUNTS

Educational employees, payroll deductions toward

S.B. 17, pages 11, 25, 130, 133

H.B. 8, pages 247, 273, 291, 297, 311, Act no. 83-207

INDUSTRIAL DEVELOPMENT BOARDS

Hotels and motels included as permissible projects to be financed by

S.B. 16, pages 11, 26, 114, 116, 343, 351, 353, Act no. 83-199

INSURANCE

Life and disability insurance guaranty association act, Alabama,
amended relative to advertising of

S.B. 12, pages 10, 25, 108, 109

H.B. 16, pages 90, 101, 129, 135, Act no. 83-125

INTESTATE SUCCESSION AND WILLS ACT

Incorporated into code of Alabama 1975

S.B. 13, pages 10, 24, 111

H.B. 3, pages 90, 100, 129, 136, Act no. 83-131

JUDICIAL CIRCUITS

10th (including Bessemer division), written plea of not guilty shall constitute waiver of arraignment right

S.B. 7, pages 9, 26, 31, 229, 236, 352, Act no. 83-141

JUVENILE PROBATION OFFICERS

Merit systems, local, or personnel boards, may be covered under provisions of

S.B. 25, pages 13, 23

LAW ENFORCEMENT PLANNING AGENCY, ALABAMA

Merged into department of economic and community affairs, supervisory board of abolished

S.B. 36, page 107

H.B. 36, pages 248, 271, 290, 293, 294, 315, 323, 337, 338, 349, Act no. 83-194

LEGISLATIVE COUNCIL

Chairpersons of house and senate rules committees included in membership of

S.B. 35, page 107

H.B. 37, pages 245, 273, 283, 308, 313, Act no. 83-164

LEGISLATURE

Chairpersons of house and senate rules committees included in membership of legislative council

S.B. 35, page 107

H.B. 37, pages 245, 273, 283, 308, 313, Act no. 83-164

Reapportionment of, based on 1980 census

S.B. 1, pages 8, 24, 35, 106, 128

S.B. 28, page 14

H.B. 1, pages 89, 100, 128, 134, 136, 229, 251, 259, 274, 292, Act no. 83-154

**LIFE AND DISABILITY INSURANCE GUARANTY ASSOCIATION
ACT, ALABAMA**

Amended relative to advertising of insurance

S.B. 12, pages 10, 25, 108, 109

H.B. 16, pages 90, 101, 129, 135, Act no. 83-125

LIQUOR LOUNGES

Retail, persons under 21 years of age not allowed in as patron

S.B. 39, page 242

MAJORITY

Age of, amended as regards sale and consumption of alcoholic beverages

S.B. 39, page 242

MANPOWER PLANNING COUNCIL, STATE

Merged into department of economic and community affairs

S.B. 36, page 107

H.B. 36, pages 248, 271, 290, 293, 294, 315, 323, 337, 338, 349, Act
no. 83-194

MERIT SYSTEMS

Local, or personnel boards, juvenile probation officers may be covered
under provisions of

S.B. 25, pages 13, 23

MOTELS

Included as permissible projects to be financed by industrial develop-
ment boards

S.B. 16, pages 11, 26, 114, 116, 343, 351, 353, Act no. 83-199

MOTOR VEHICLES

Serial numbers on, removal or falsification of, on engines, transmis-
sions, or other identifiable parts, forfeiture and condemnation
provided

S.B. 8, pages 9, 23

MUNICIPAL LAWS

All general and permanent classified, incorporated into 1975 code, from
sessions from 1979 through second special session 1982

S.B. 13, pages 10, 24, 111

H.B. 3, pages 90, 100, 129, 136, Act no. 83-131

MUNICIPALITIES

Distribution of revenues to, by state agencies, further provided

H.B. 23, pages 241, 272

Hotel and related services, authorized to acquire properties to furnish,
to be managed by commercial enterprise

S.B. 14, pages 10, 25, 113, 344, 351, 353, Act no. 83-198

PAINT ROCK VALLEY HIGH SCHOOL

As long as ineligible for post-season competition, certain high school officials ineligible for membership in high school athletic association

S.B. 11, page 10

PERSONNEL BOARDS

Local, or merit systems, juvenile probation officers may be covered under provisions of

S.B. 25, pages 13, 23

PROBATE CODE

Incorporated into code of Alabama 1975

S.B. 13, pages 10, 24, 111

H.B. 3, pages 90, 100, 129, 136, Act no. 83-131

PROBATE COURTS

Curators, appointment of by, further provided

S.B. 22, pages 13, 23, 117, 245, 268, 353, Act no. 83-153

PROBATION OFFICERS, JUVENILE

Merit systems, local, or personnel boards, may be covered under provisions of

S.B. 25, pages 13, 23

PUBLIC OFFICIALS

Certain, who are attorneys, exempt from requirement of mandatory continuing legal education

S.B. 3, pages 8, 23

H.B. 13, pages 91, 100, 266, 273, 293

Secretary of state authorized to appoint an executive or confidential assistant

S.B. 23, pages 13, 24

PUBLIC PROJECTS

Contractors on, required to use domestically produced steel under pain of contract revocation

S.B. 2, pages 8, 101, 131, 334, 350, 353, Act no. 83-196

RACCOONS AND OPOSSUMS

Nighttime hunting of, further regulated

S.B. 4, pages 8, 24, 114, 338, 350, 353, Act no. 83-197

H.B. 18, page 245

REAPPORTIONMENT

Legislative, based on 1980 census

S.B. 1, pages 8, 24, 35, 106, 128

S.B. 28, page 14

H.B. 1, pages 89, 100, 128, 134, 136, 229, 251, 259, 274, 292, Act no. 83-154

RETIREMENT SYSTEMS

Employees' and teachers', time required for restoration to active service changed

S.B. 21, pages 12, 25, 116

H.B. 5, pages 246, 271, 305, 311, Act no. 83-160

REVENUES

Distribution of, by state agencies to counties and municipalities, further provided

H.B. 23, pages 241, 272

RULES COMMITTEES

House and senate, chairpersons of to be included in membership of legislative council

S.B. 35, page 107

H.B. 37, pages 245, 273, 283, 308, 313, Act no. 83-164

SCHOOLS

Certain high school officials not eligible for membership in high school athletic association if Paint Rock Valley high school not eligible for post-season competition

S.B. 11, page 10

SECRETARY OF STATE

Duties of, regarding electronic voting committee and electronic vote counting systems

S.B. 27, pages 13, 23, 112, 328, 351, 353, Act no. 83-200

Executive or confidential assistant authorized

S.B. 23, pages 13, 24

SHERIFFS

Retired, deductions from sheriffs' salaries and retirement payments for, increased

H.B. 24, pages 248, 271, 305, 312, Act no. 83-162

SPECIAL FEDERAL ADVANCE INTEREST REPAYMENT FUND

Created in state treasury, to be accumulated to pay interest on federal advances to unemployment benefits

S.B. 34, page 30

H.B. 33, pages 242, 273, 281, 283, 284, 296, Act no. 83-178

STATE AGENCIES

Aeronautics, department of, position of assistant director authorized

S.B. 33, pages 23, 101, 131, 133, 333, 352, 353, Act no. 83-202

Distribution by, of revenues to counties and municipalities, further provided

H.B. 23, pages 241, 272

Economic and community affairs, department of, several agencies merged into

S.B. 36, page 107

H.B. 36, pages 248, 271, 290, 293, 294, 315, 323, 337, 338, 349, Act no. 83-194

Emergency management agency, Alabama, name of civil defense department changed to
S.B. 37, pages 122, 242

Secretary of state authorized to appoint an executive of confidential assistant
S.B. 23, pages 13, 24

STATE EMPLOYEES

Aeronautics, department of, position of assistant director authorized
S.B. 33, pages 23, 101, 131, 133, 333, 352, 353, Act no. 83-202

STATE PLANNING AND FEDERAL PROGRAMS, OFFICE OF

Merged into department of economic and community affairs
S.B. 36, page 107
H.B. 36, pages 248, 271, 290, 293, 294, 315, 323, 337, 338, 349, Act no. 83-194

STEEL

Domestically produced, contractors required to use on certain public projects under pain of contract revocation
S.B. 2, pages 8, 101, 131, 334, 350, 353, Act no. 83-196

SWINE AND SWINE PRODUCTS

Promotion of the production, distribution, improvement, marketing, use and sale of
S.B. 24, pages 13, 24, 113, 248, 268, 353, Act no. 83-151

TAXABLE WAGE BASE

For unemployment compensation benefits, increased
H.B. 11, pages 243, 272, 301, 308, 312, Act no. 83-155

TEACHERS' RETIREMENT SYSTEM

Time required for restoration to active service changed
S.B. 21, pages 12, 25, 116
H.B. 5, pages 246, 271, 305, 311, Act no. 83-160

THEFT

Of fish from fish farms, declared criminal offense, penalties
S.B. 26, pages 13, 25, 106, 249, 269, 353, Act no. 83-152

TREASURER, STATE

Procedures for payment by, of principal and interest on bonded indebtedness
H.B. 25, pages 241, 276, 282, 284, 287, 309, 313, Act no. 83-165

TREASURY, STATE

Special federal advance interest repayment fund created in
S.B. 34, page 30

UNEMPLOYMENT COMPENSATION

Taxable wage base and weekly benefits increased
S.B. 31, page 22

UNEMPLOYMENT COMPENSATION ACT, ALABAMA

Extensively amended

H.B. 11, pages 243, 272, 301, 308, 312, Act no. 83-155

UNEMPLOYMENT COMPENSATION TRUST FUND, ALABAMA

Additional revenue provided from which to pay interest
on federal funds advanced to

S.B. 34, page 30

H.B. 33, pages 242, 273, 281, 283, 284, 296, Act no. 83-178

VISITATION RIGHTS

Grandparents', in cases of divorce or death of a parent

H.B. 14, pages 90, 100, 135, 288, 296, Act no. 83-176

VOTERS AND VOTING

Electronic voting committee created as clearinghouse for information
on new equipment

S.B. 27, pages 13, 23, 112, 328, 351, 353, Act no. 83-200

WHARVES AND WHARF SITES

Distance from cities construction, extended to 25 miles

S.B. 15, pages 11, 26, 112

WOODLANDS

Willful and malicious burning of, paraphernalia used in further defined

H.B. 30, page 246

LOCAL BILLS**SECOND SPECIAL SESSION 1983****ACTS AMENDED, LOCAL ACTS**

Lauderdale county, 1959 Acts, Act no. 88, p. 509, law library, court
costs to maintain

HB 4, pages 88, 101, 126, Act no. 83-123

JEFFERSON COUNTY

Alcoholic beverages, sale and consumption of after 12:01 p.m. on
Sunday

SB 20, pages 12, 27, 34

Assistant tax assessor and assistant tax collector, additional expense
allowance

SB 10, pages 9, 27, 32

Birmingham, alcoholic beverages, sale and consumption of after 2 a.m.
on Sunday

SB 19, pages 12, 27, 33

Birmingham, enterprise zones established

SB 18, pages 11, 27, 33, 234, 236, 353, Act no. 83-142

HB 19, page 112

Equalization and adjustments, county board of, expense allowance for associate members
SB 9, pages 9, 27, 31

Tenth judicial circuit (including Bessemer division), written plea of not guilty shall constitute waiver of arraignment right
SB 7, pages 9, 26, 31, 229, 236, 352, Act no. 83-141

LAUDERDALE COUNTY

Law library, court costs further provided
HB 4, pages 88, 101, 126, Act no. 83-123

RUSSELL COUNTY

Judge of probate, office of, continued employment is allowed notwithstanding blood or marriage relationship to
HB 15, pages 89, 101, 127, 135, Act no. 83-124

WILCOX COUNTY

Probate judge's office, compensation of certain clerks
HB 31, pages 231, 242, 275, 296, Act no. 83-175

RESOLUTIONS

SECOND SPECIAL SESSION

February 1 - 24, 1983

CONDOLENCES

Bell, hon. Louis N., death mourned
SR 12, page 87

Boone, hon. Buford, distinguished journalist and Tuscaloosa civic leader, death mourned
SJR 15, pages 87, 91, 122, 352, Act no. 83-121

Dailey, mr. Millard Fillmore, jr., death mourned
HJR 62, pages 233, 237, Act no. 83-137

Kimbrell, mr. Jerry Ray, death mourned
HJR 60, pages 233, 237, Act no. 83-135

May, hon. William Dexter, of Winfield, death mourned
SJR 27, pages 118, 235, 240, 353, Act no. 83-148

Nutt, mr. Grady, of Louisville, Kentucky, death mourned
HJR 99, pages 317, 337, Act no. 83-173

Pearson, dr. Juliet Nunn, wife of senator Pearson, death mourned
SJR 25, pages 110, 235, 240, 353, Act no. 83-147
HJR 50, pages 123, 135, Act no. 83-130

Smith, hon. J. Preston, death mourned
SR 5, page 15

Tillman, hon. Phillip, of Opelika, death mourned
SR 57, page 294

Vaughan, hon. Boyd, of Saks, death mourned
SJR 21, pages 103, 235, 240, 353, Act no. 83-145

CONGRATULATORY

Adams, dr. and mrs. Cleveland L., of Auburn, on 50th wedding anniversary
SR 56, page 294

Alabama agricultural experiment station and board of trustees of Auburn university, faculty and staff commended
HJR 33, pages 95, 121, Act no. 83-117

Alba high school, Bayou la Batre, football team commended
SR 61, page 301

Allstate insurance company commended on efforts to assist state's financial crisis
SR 7, page 28

Arrington, hon. David, of Valley, paramedic of the year
SR 31, page 124

Auburn agricultural experiment station and board of trustees commended
SR 26, page 111

Aughtman, Dowe, association press all-southeastern conference designee, commended
SJR 28, pages 118, 235, 240, 353, Act no. 83-149

B. F. Goodrich Tuscaloosa plant commended
SJR 2, pages 7, 91, 122, 352, Act no. 83-120

Baker, miss Ramona, executive director of the arts council of Huntsville, commended
SR 54, page 292

Bartlett, hon. Walter J., Randolph county's 1982 leadership award winner, commended
SR 4, page 15

Bianchi, police officer Dan, commended
HJR 90, pages 316, 337, Act no. 83-168

Bolden, hon. Raymond L., Atmore citizen of the year
SR 65, page 306

Boswell, mr. Robert H., commended
HJR 79, pages 251, 292, Act no. 83-166

Bridgeport high school youth traffic safety club, commended
SR 19, page 102

Cobb, hon. Buell, Cullman, commended on retirement
SR 23, page 104

Coil, dr. Charles, president of international Bible college, commended
SR 50, page 287

Collins, sheriff William R. (Bob), Jackson county, commended
SJR 38, pages 274, 310, 335, 353, Act no. 83-180

Cook, hon. James, vice president of the American dairy association of Alabama, commended
SR 63, page 306

Crutchfield, mr. Charles B., commended
HJR 61, pages 233, 237, Act no. 83-136

Deavers, mrs. Sybil Hill, commended on retirement
SR 11, page 87

Douglas high school eagles, commended
HJR 19, pages 21, 86, Act no. 83-105

Eddleman, hon. D. M., Cullman, agribusiness educator, commended
SR 24, page 104

Enterprise high school band, commended
HJR 15, pages 22, 86, Act no. 83-104

Excelsior band, of Mobile Mardi Gras fame, commended
SJR 34, pages 127, 235, 240, 353, Act no. 83-150

Fisher, John, family commended for service on behalf of Holy Family high school
HJR 30, pages 94, 121, Act no. 83-114

Flomaton high school women's basketball team, commended
HJR 92, pages 317, 337, Act no. 83-170

Foley, mrs. Viola, commended
HJR 20, pages 21, 86, Act no. 83-106

Grantham, mr. and mrs. John Percy, of Dale county, congratulated on 71st wedding anniversary
SR 46, page 282

Greene, judge Myrtle, Huntsville, commended on career of dedicated service
SJR 20, pages 102, 235, 240, 353, Act no. 83-144

Hall, mr. and mrs. William Jess, sr., of Dadeville, on 60th wedding anniversary
SR 51, page 287

Hester, hon. R. C., of Randolph county, on organizing observance of a mass golden anniversary celebration
SR 6, page 15

Hewitt-Trussville high school wrestling team, state 4A champions, commended
HJR 107, pages 336, 349, Act no. 83-195

Hewitt-Trussville junior high school wrestling team, commended
HJR 91, pages 317, 337, Act no. 83-169

Huntsville city council on campaign to combat drunk driving, commended
SJR 42, pages 279, 310, 335, 353, Act no. 83-181

Jacobs, mrs. Henry Grady, commended on 90th birthday
SJR 18, pages 101, 235, 239, 353, Act no. 83-143
HJR 42, pages 117, 135, Act no. 83-127

- Johnson, hon. Alex, president-elect of Alabama association for public continuing and adult education, commended
SR 14, page 87
- Jones, former congressman Robert E., commended
SR 32, page 124
- Jones, Joe, Austin high school coach, commended
HJR 54, pages 231, 237, Act no. 83-133
- Killian, dr. George S., commended
HJR 76, pages 241, 243, Act no. 83-140
- Lipscomb, mrs. Wendolyn Snellings, Monroe county hospital nurse of the year, commended
SR 64, page 306
- McClain, mr. Bill, county engineer of Covington county, commended
HJR 48, pages 123, 135, Act no. 83-129
- McKnight, mrs. Johnnie K., honored as recipient of Flora W. Boyd award
HJR 22, pages 97, 120, Act no. 83-110
- McLeod, mrs. Coe Skipper, Jackson citizen of the year, commended
SR 10, page 86
- Mencer, ms. Toreather, honored
HJR 29, pages 94, 121, Act no. 83-113
- Mixon, sheriff James Bryant, Dale county, commended on drug bust
SJR 48, pages 285, 310, 335, 353, Act no. 83-186
- Mobile press register commended for running free ads to assist unemployed
HJR 70, pages 232, 237, Act no. 83-139
- Montevallo, university of, lady falcons volleyball team, commended
HJR 32, pages 94, 121, Act no. 83-116
- Munford high school lions, congratulated
HJR 41, pages 117, 135, Act no. 83-126
- Parker, mr. Phillip L., commended
HJR 59, pages 233, 237, Act no. 83-134
- Pennington, hon. Harry, commended on distinguished career
SR 55, page 292
- Phenix City, anniversary of incorporation of, noted
SR 35, page 232
HJR 65, pages 233, 237, Act no. 83-138
- Pryor, mrs. Berry Jean, Alabama mother of the year, commended
SR 59, page 296
- Rushton, William M. "Bill", commended and honored
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